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THE SECRET VATICAN ARCHIVES.

IT is scarcely more than a decade since the eminent Belgian savant, Gachard[1], wrote: "De tous les grands dépots de l'Europe il n'en est aucun sur lequel on possède moins de renseignements que sur celui du Saint Siège." A few years have brought on a complete change in this respect. Leo XIII., convinced that a more extensive and precise knowledge of the documents which throw light upon the apostolic activity of the Roman Pontiffs could but tend to raise the estimate which historians had formed concerning the influence of the papacy upon society, determined in 1879 to open the Vatican Archives to scholars and investigators from all parts of the world. Hitherto these Archives had been a sort of adjunct to the Vatican Library, and as such subject to the directors of the latter. But now the Holy Father appointed Mgr. Hergenröther, then professor at the University of Würzburg, afterwards Cardinal, to assume the separate direction of this valuable department of historical research. Dr. Hergenröther had shown himself not only to be a man of eminent learning, but likewise possessed of an intrepid and just sense of the honor and rights of the Catholic Church.

His first effort was to obtain a general survey of the matter entrusted to his care and to adjust the methods by which it

1 Les Archives du Vatican.—Bruxelles, 1874.

could be made accessible to the investigating historian. The preparations required for this purpose lasted about two years, at the end of which the doors of the Archives were thrown open to all who gave token of their competency to profit by the use of the documents contained in them. It is needless to say that the reading-room connected with the Archives, and placed at the disposal of the students of manuscripts, had, from the first, no place left unfilled. No other public magazine of a similar character in the world was so over-crowded by applicants as were the Archives for months after the doors had been opened to the investigator. This fact is easily understood when we remember the wealth of documentary evidence here collected for the historian, and now rendered freely accessible to the student.

In order to systematically utilize the advantages to be reaped from the study of the Vatican documents, various Governments and scientific Academies at once organized regular unions, whose members were to pursue investigations in behalf of the corporations to which they belonged. France, Prussia, Austria and Hungary, and the principal German Catholic Historical Society (Görres-Gesellschaft) have permanently organized bodies of investigators in separate departments of the Archives. Other countries, such as Russia, Sweden, Bavaria, Würtenberg and Baden, sent representatives from time to time to make investigations. Among the number of savants who have visited the Archives in a more or less private capacity, although their labors were mostly in the national interests of their countries, are several Swiss historians, the Englishman, Mr. Bliss, one of the first laborers in the Archives, and the American priest, De Roe, who worked there with considerable success for many years.[1]

1 Among the American priests who have recently worked in the Archives is Father Thomas Hughes, S. J., formerly of St. Louis University, but who resides at present in Rome. His investigations have reference to the history of the Jesuit Order. The American Historical Society (Philadelphia) has also taken steps to have a permanent representative in the Vatican Library for the purpose of getting details which relate to the history of the American Church.—EDIT.

The separate results of the investigations have already in great measure been made known by numerous important publications. The past history of the Archives has incidentally received light from many of these works. Our purpose here is to give, at the request of the Editor of the AMERICAN ECCLESIASTICAL REVIEW, an authentic resumé of the history and actual condition of the Archives, and the use which has thus far been made of the precious contents.

An historical sketch of the Vatican Archives may be found in Galletti's *Del primicerio della R. Sede* (Roma, 1776), and in Gaetano Moroni's *Memorie degli Archivi della S. Sede* (Roma, 1825). Pertz and Bethman, who wrote during the first half of the present century, have also contributed to the literature of the subject.[1] The Norwegian historian, Munch, wrote, about the middle of this century, a number of papers in the Danish language, entitled "Disclosures Concerning the Pontifical Archives." These were edited about the year 1878 by Storm; shortly afterwards (1880) they were translated into German by Löwenfeld, who at the same time made a number of comments and additions to the work, which were published in various historical journals.[2] Noteworthy in this connection are likewise the contributions of the Benedictine, Dudik,[3] and of the German Jesuit, Grisar.[4] Two German scholars, Diekamp and Gottlob, have thrown much light upon the diplomatic contents of the Archives by their papers on the recent literature of "Papal Diplomacy," and their "Vatican Documents," published in the Historical Annals of the Görres-society.[5] Finally we have among the labors of the celebrated archaeologist De Rossi an essay entitled *De Origine, Hisoria, Indicibus Scrinii et Bibliothecae Sedis Apostolicae* (Romae, 1884), intended to form the introduction to the first volume

1 See Archiv der Gesellschaft für ältere deutsche Geschichte v. 24 sq. and xii. 201 sq.

2 Cf. Brieger's Zeitschrift für Kirchengeschichte, 1878, pag. 139 sq. Histor. Taschenbuch, 1886, pag. 307 sq., and 1887, pag. 279 sq.

3 Iter Romanum. Vienna, 1885.

4 See Wetzer u. Welte Kirchenlexicon art. "Archiv. des h. Stuhles."

5 Histor. Jahrbuch d. Görresgesellschaft, 1883 and 1885.

of the *Codices Palatini Bibliothecae Vaticanae.* We should also here mention Bresslau's Manual of Diplomatics which contains a good historical account of the pontifical Archives.[1]

All the above-cited writers agree that the collection of pontifical documents preserved in the Archives is contemporary with the history of the papacy itself. Grisar, who is our principal authority for the statements here made concerning the history of the papal Archives, points out the necessity of assuming that there existed from the beginning a place where the important documents attesting the mutual relations between the Holy See and foreign governments were preserved for future reference. It is not even necessary to lay any stress on the historical fact that regular notaries of the Roman Church are mentioned as exercising their office, under the pontificates of Clement I (A. D. 90) and of Fabian, (A. D. 236), or upon the evidence of the Acts of the Martyrs, which were systematically written and carefully preserved by such notaries by order of Pope Anterus. We need only refer to the accurate accounts given in the *Liber Pontificalis*, of the Ordinations held by the Roman Pontiffs, and of the bequests made to the Vatican and Lateran Churches. It stands to reason that, when peace had been restored to the Christian community, the relations of the papacy to the outside world grew with the spread of the Catholic faith; and these growing relations naturally fostered a regular system of preserving and cataloguing the various documents which testify to this intercourse with foreign personages of importance and with governments. It appears that especially during the reign of Julius I (337–352) efforts were made to extend and regulate the duties of the ecclesiastical notaries. At their head we find a *Primicerius notariorum* and a *Scrinarius Sanctae Sedis.* Beginning with the reign of Pope Damasus, there occur frequent references in the historical notices of the times to the "Archives of the Roman Church." They are called *archivum*, or *scrinium*,[2] or *bibliotheca*, or also *chart(ul)arium*

1 Handbuch der Urkundenlehre, I., 120 sq.
2 Sometimes adding the word *sanctum.*

with the addition of *Romanae Ecclesiae* or *Apostolicae Sedis;* or simply *Lateranense*, for, so long as the popes had their residence in the Lateran Palace, a special place was provided near them where all the important Pontifical documents were preserved, with the exception of such as, on account of their particular reference to the primacy of the Apostolic See, were to be placed in the *Confessio* near the tomb of St. Peter. A survey of the marvellously rich and varied contents of the Pontifical Archives, leading back to the earliest days of the Roman Pontificate, gives us an imposing and at the same time attractive picture of the far-reaching activity of the Holy See. That remarkable "plenitudo venerandi scrinii palatii Lateranensis," of which John the Deacon[1] speaks in his *Vita S. Gregorii M.*,[2] consisted in the first place of the pontifical letters addressed to the different portions of the Christian world, of which copies were kept in separate *registra*. These *registra* give us, in the regular order of time in which they were written, all the important circular letters issued by each successive Roman Pontiff as far back as the reign of Gregory the Great. They contained the accounts of leases and tenures to which the Roman Church was subject, the rentals and deeds witnessing to the ancient patrimonies of St. Peter, of which we find occasional mention in the old annals. Here also were kept the titles which attested the rights and privileges of the Roman Church, and those grants and donations to the bishops and churches which the Holy See made or confirmed, as well as the long eleemosynary lists of the Popes which directed the spending of alms for definite charities. However, the largest portion of the Archives was, as we may suppose, taken up by the innumerable reports, complaints, consultations and petitions which were constantly being sent from the churches of the East and West to the mother

1 This is Joannes Diaconus (Hymonides) a monk of Monte Cassino, who was called to Rome in 872. There are four other ecclesiastical writers who bear the same name. *Edit.*

2 Opera S. Gregorii, ed, Maur. 1, 1705, 398 sq. Migne Patr. Lat LXXV, 59 sq. *Edit.*

Church at Rome, and to which St. Jerome[1] refers in his letters when he says: "Quum in chartis ecclesiasticis juvarem Damasum Romae urbis episcopum, et Orientis Occidentisque synodicis consultationibus responderem."

It is to be regretted, indeed, that of all this wealth of documents proving the beneficent activity of the Roman Pontificate, little has been preserved (and that little is fast fading away) which carries us back farther than the time of Innocent III. There can be hardly any doubt that the documents referring to the Pontificates of the first three centuries disappeared for the most part during the fourth and fifth centuries. It is the only way in which we can account for the scanty references to those periods in succeeding Pontificates. But the violent persecutions, especially during the reign of Diocletian, and the subsequent political struggles which made Italy, and particularly Rome, the lasting scene of bloody warfare, are a sufficient explanation of the gaps which occur in the series of documents preserved in the Pontifical Archives.

The unfortunate party-strifes between antipopes, especially during the tenth century, added much to the work of destruction. If it happened that the wrongful claimant to the Pontifical authority who was for the time in possession, should deem it good policy to destroy the documents of his predecessor so as to annul any decree arousing a doubt regarding his own election, we may assume that many other documents shared the fate of such as were suspected of becoming, some day, possible evidence against the usurper.

Another reason which accounts for the loss of much important material from the Archives is the fact that up to the eleventh and twelfth centuries the scribes of the Roman Chancery wrote upon the much used papyrus which was brought from Sicily, and which, as is well known, yields to the corroding influence of climate and of time.

1 Ep. 123, n. 10.

Nevertheless, in various ways we are enabled to trace the existence of the pontifical *registra*, the most precious portion of the Archives, from the thirteenth back to the seventh and even sixth centuries. Thus, for example, Gregory IX tells us that he made use of the *registra* of Urban II, Anastasius IV, Adrian IV, and Alexander III. These no longer exist, but we can readily understand how they were lost amid the internal dissensions which convulsed Rome during the second half of the thirteenth century. Among the notable fragments of the Lateran *registra* previous to the reign of Innocent III, of which copies have been preserved to us, must be mentioned the letters from the registry of Gregory the Great, and from that of his heroic namesake Gregory VII ; also a portion of the registry of John VIII. As a matter of fact, however, we may congratulate ourselves upon possessing an amount of valuable information collected in the magnificent work of the *Regesta Pontificum Romanorum*, through the laborious exertions of Philip Jaffé. This collection embraces the period from the beginning of the Church to the year 1198. It was printed first in Berlin in 1851, and has recently been republished with many additions, by Kaltenbrunner, Ewald, and Löwenfeld.

A new period of development in regard to the work of the Pontifical Chancery and system of keeping the Archives, both of which were for a long time combined, begins with the reign of Innocent III. It may be said with justice that this Pontiff inaugurated the present method of preserving the Archives, and as a result we find in comparative completeness the documentary chain which exhibits the relations of the Holy See with the outside world. And this is important when we remember how many things occurred which might have destroyed this unbroken evidence. In the first place the Archives were repeatedly transported from one place to another.

Innocent IV brought all the more valuable documents of the papal Archives from Rome to Lyons. The *privileges* of Emperors and Kings had to be copied for the Roman Church, and that with many formalities so as to

secure the authenticity of such transcripts.[1] Moreover, it frequently happened that on important and lengthy journeys the Pontiffs took manuscripts from the Archives with them.

Under the new official régime the pontifical Archives formed part of the papal treasury and were committed to the care, first, of the *camerarius*, and later, towards the end of the thirteenth century, to that of the *thesaurarius*, which office had previously been combined with that of chamberlain to the Pope. During the residence of Bonifice VIII at Anagni, the papal treasury, together with the Archives, was confiscated. After the restoration of the latter, Benedict XI caused them to be sent to Perugia, where they remained until 1312, when they were consigned to the safekeeping of the Franciscan monastery in Assisi. In 1339, they were brought to Avignon and added to the new collection which had accumulated since the departure of the Sovereign Pontiffs from Rome. In the mean time the old collection had sustained some losses through an assault made in 1320, on the monastery of Assisi, by a band of plunderers.

During the schism the Archives remained at Avignon. The Pontiffs, who at this time resided in Rome, had transferred their domicile from the Lateran to the Vatican, and here, accordingly, the new Archives were opened. The popes who represented the Avignon faction are probably accountable for the loss of many valuable documents. One of the antipopes, Benedict XIII, had taken a large portion of the documents from Avignon to Penniscola, but these were afterwards returned to the Cardinal Legate, Peter de Fusco (de Foix), who brought them back to Avignon in 1429. Eugene IV and his successors, Pius V and Pius VI, found means subsequently to have the whole collection restored to its original home in the Eternal City. In the meanwhile, however, the newly accumulated documents had been dis-

1 They were made on seventeen parchment rolls (rotuli) and recopied, one for the use of the Roman Curia, and another to be sent to the monastery of Cluny. Of all these copies, we possess only fragments in various dimensions and parts. A complete transcript, however, is preserved in the National Library of Paris.

tributed in various quarters. Those of the Pontificate of Martin V, were kept in his family palace at "Santi Apostoli;" others were lodged in the Dominican Convent "Santa Maria sopra Minerva." Gradually, however, they were brought together and under Sixtus IV, A. D. 1475, the Archives and the pontifical Library were placed in separate localities. The Archives were called "Bibliotheca secreta pontificia," closed to all except the Pontiff, the papal Secretary of State and the officials immediately connected with the administration. The pontifical Library was designated as "Bibliotheca publica" and was open to all.

Whilst Sixtus IV labored toward a local centralization of the public records, he took measures for their more systematic disposition, as well as their safety, by opening a separate department in the castle of San Angelo, for the safekeeping of all those documents which referred to the temporal estate and privileges of the Roman See. Pius IV conceived the grand design of opening at Rome a great central depository of ecclesiastical and civil reference, and with this object in view, addressed letters of inquiry to the various churches and monastic libraries, as well as to the administrations of public and private archives throughout the Pontifical States. Pius V continued the labors of his predecessor for the realization of this project. Much material was collated in this way, and where the ownership of the documents was pledged to remain intact, an inventory pointing out the nature and value of the respective papers, was procured. For the better conservation and arrangement of this material, Paul V (1605–1621) opened eleven rooms in the west side of the Vatican Palace. Many of the subsequent popes, such as Urban VIII and Benedict XIV added to this collection important documents of state, reports of nunciatures, etc., which had been kept in the private archives of families whose members belonged to the College of Cardinals, and to whom such documents had been originally consigned. Of the Archives and Library of the Barberini family, to which Urban VIII and two brother Cardinals belong, it is known that it possesses a rare collection of such documents even to this day.

During the reign of Clement XIV (1769–1774) the supervision of the Vatican Archives and the documents kept in the Castle of San Angelo, which had been separated since Clement VIII, were intrusted to a common director, and in 1798 all the documents of the Castle of San Angelo were transferred to the Vatican, where together with the Archives they occupied twenty-eight large rooms. The different Congregations of the Consistory, the Propaganda,[1] the Signatura, the Poenitentiaria, the S. Ufficio, the Dataria, and the Secretaria Brevium had since Pius V. maintained their separate Archives. All these were taken to Paris by Napoleon I. between the year 1809 and 1810, where they were placed in the State collection together with similar documents from other countries. After Bonaparte's fall they were returned to Rome, not without considerable loss suffered in the transportation. In this condition the Vatican Archives have remained, receiving in recent times considerable additions from the Lateran, such as the *registra* Bullarum, beginning with Pope Boniface IX, and belonging to the Archives of the Dataria ;[2] also the *registra* of Supplicats, which had been kept in separate halls of the Vatican. The purchase of the Borghese Archives, and other more or less important acquisitions, such as the volume of *registra* of Innocent III from the celebrated library of Lord Ashburne, and presented to Leo XIII, have considerably increased the treasures of the Vatican Collection.[3]

It may interest the reader to have us mention here the names of those who, by their labors as custodians or prefects of the Archives, have contributed not only to the preservation and enlargement, but to the present orderly arrangement of the Vatican documents. During the seventeenth century it is Contelori, Garampi and Pistolesi who deserve special credit for their repertorial work and system of cataloguing the documents. In the following century, Gaetano Marini did

1 See an interesting essay on the Archives of the Propaganda, by Pieper, in the Römishe Quartalschrift I, 80–99 and 259–265.

2 The Registra of Briefs have remained in the Lateran.

3 Cf. *Studie e Documenti di storia e diritto*, 1885, pp. 80–87.

valuable service in superintending the transportation of the documents from the Castle of San Angelo to the Vatican, and likewise the transport of the Archives from Rome to Paris, their safe keeping in the French capital, and subsequent return to the Holy City. To him we also owe the previously mentioned *Memorie degli Archivi della S. Sede.* Marino Marini, a nephew of Gaetano, distinguished himself in similar offices during the present century. He was followed by the well-known Oratorian, Augustine Theiner. Next came Balan, under whose prefecture the number of official attendants was increased and the Archives were thrown open to the learned world. The all too early death of Cardinal Hergenröther deprived the institution of one of its most eminent protectors and guides, who latterly held the position of Cardinal-archivist. This position has since been filled by Cardinal Galimberti, who has at his service a Vice-archivist, two sub-archivists, and two custodians. The animating spirit in the departments at the present time is the learned P. Heinrich Denifle, well known in the literary world. His efforts are ably seconded by Mgr. Wenzel. The learned Jesuit, P. Ehrle, holds the office of custodian.

II.

The opening of the Vatican Archives naturally led to a more systematic study of their contents than had hitherto been possible. An excellent summary of the results of recent inquiry is to be found in *Les Archives de l'histoire de France* III, 743-757 sq. by Langlois-Stein. The Benedictine Dom Gregorio Palmieri, one of the custodians of the Archives, has made a general index of the pontifical *registra* entitled *Ad Vaticani archivi Romanorum Pontificum regesta manuductio.* (Romae 1884). According to his counting, the volumes of the *registra*, from Innocent III, to Sixtus V, amount to 2,019 (another enumeration gives 2,441). Since 1884, however, other *registra*, already mentioned, have been added so as to bring the whole up to more than 4,000 volumes. It must be remembered that a large number of the documents of the

Avignon period are duplicated, since the popes of that time, as well as their successors, caused many of the pieces which had been written on ordinary paper, to be copied upon parchment, so as to secure their preservation for future reference. These parchment copies have been placed in the principal collection of the *registra*, whilst the paper originals are kept in a separate department. Up to the time of the Avignon schism all the pontifical letters had been written upon parchment; after that, paper was frequently employed, and consequently we have two categories of Mss., the Reg. Vat., and the Reg. Avi., denoting the respective documents of the Vatican and Avignon collections. The Reg. Lateran., brought from the Lateran and also on paper, are likewise added to this collection. The volumes of the Avignon period, including the Pontificates of Clement VII, and Benedict XIII, amount to about five hundred, which gives us from four to five volumes annually, between the years 1305 and 1415. These volumes have no continuous numbering like the Vatican and Lateran documents; hence in citing them it is necessary to add the name of the Pontiff to whom they refer.[1]

The same manner according to which copies of the pontifical Bulls were made in the *regesta* for the archives, was observed, at least from the time of the Avignon exile, with regard to the numerous petitions which came to the Holy See from all parts of the Catholic world. These petitions, together with some formula, such as "Fiat," to indicate their concession, were entered as supplicats. Of the Avig-

1 Up to the time of John XXII, the papal letters were simply divided into *Litterae Communes* and documents *De Curia*, the latter treating mainly of transactions with legates and the affairs of the Papal States. With John XXII, a new division of *Litterae Secretae* (referring mostly to ecclesiastical politics) was introduced. His successor, Benedict XII, created new departments by sub-dividing the *Litterae Communes* according to their subject matter, into: Litterae Cardinalium, Provisiones Praelatorum, De Praebendis vacantibus et vacaturis, De Dignitatibus v. et. v., De Beneficiis v. et. v., De Regularibus, De Fructibus percipiendis in absentia, De Conservatoriis, De Diversis Formis, De Indultis et Privilegiis, De Licentia testandi, De Tabellionatus officio, De Altari portatili, etc.

non period there are one hundred and three volumes which have always been in the Vatican Archives; but besides these the Archives contain at present eight thousand volumes of *regesta* of supplicats, beginning with the pontificate of Martin V., which were recently brought hither from the Vatican chambers. Although the *registra Bullarum* contain for the most part the concessions, privileges, exemptions, etc., mentioned in the supplicats, nevertheless students of these documents prefer, as a rule, the volumes of supplicats, because they frequently give interesting details concerning the origin and occasion of the petitions, of which no mention is made in the grants.

The *regesta* and supplicats hitherto mentioned have their origin, properly speaking, in the Papal Chancery; but there is a large category of documents which, whilst in some measure connected with these, are classed as belonging to the pontifical *Camera*. Such are the *Libri obligationum et solutionum*. Prelates who had been preferred by appointment (instead of election) to a bishopric or an abbacy, were, by what was at first a custom, but which became, in the fourteenth century, the rule, obliged to pay a fixed portion of their income to the Holy See, one-half of which went to the maintenance of the pontifical household, the other half to the College of Cardinals. The amount, equal to about one-third of the first annual income, was to be paid either at once, or by instalments, within two years from the time of appointment. The documents of preferment were entered in the *regesta* of the pontifical Chancery under the rubric *Provisiones Praelatorum*, whilst the obligations of the appointee were kept in the books of the Camera. The latter accounts are, with few exceptions, preserved from the time of Boniface VIII. In the same manner in which the Holy See exercised control over bishoprics and abbacies, it regulated the bestowal of other dignities, canonicates and ecclesiastical benefices. The applicants for preferment were, upon obtaining the benefice, taxed for about the half of one year's revenues from their office. The duty of collecting these taxes devolved upon regularly appointed *collectores Apostolici*

or *Apostolicae Sedis*, who looked also after the other customary rents and tithes due to the Roman See. Entries of these collections were made in volumes styled *Collectoriae*, of which there are some six hundred. There are, moreover, 378 volumes of Receipts and Expenses under the title *Introitus et Exitus Camerae Apostolicae.* These embrace the pontificate of the Avignon period, with the exception of that of Clement V, but including Clement VII and Benedict XIII. Another series of volumes contains matters which could not be strictly classed under the foregoing, and which are entitled *Diversa Cameralia.* These begin, if we except two volumes of the time from Urban VI to Gregory XII, with the reign of Martin V.[1]

During the sixteenth century the Holy See agreed to appoint regular *nunciatures* in most of the Government centres; whilst resident embassies to Rome were created by the foreign courts. The nuncios as well as the official representatives of the different nations were obliged to make frequent reports to their respective governments, keeping them *au courant* with the affairs and tendencies of the courts to which they were accredited. The nuncios made their reports to the Cardinal Secretary of State, from whom they also received their instructions as to the method of action and general policy to be pursued in different circumstances. Although much valuable material belonging to this category has remained in the hands of the heirs of those members of the Roman Curia to whom the pontifical instructions had been originally addressed, a fact to which Ranke in his History of the Popes adverts with some bitterness, we have, thanks to the care of the Sovereign Pontiffs in procuring such documents for the Archives, some six thousand volumes

1 Through some unfortunate oversight seven hundred and fifty-nine volumes belonging to this category of the Archives, which were lodged in one of the municipal buildings at the time of the annexation by the Piedmontese government in 1870, were taken and incorporated in the newly-created Archives of the Italian government. However, they are accessible to the student. Cf *Zeitschrift für Geschichte des Oberrhein's;* Neue Folge VII, 104; and *Röm. Quartalschrift* 1894, pag. 451 sq.

of Reports of the nuncios, classified according to the different nunciatures.[1]

The *Lettere de' Principi* and the *Lettere di diversi*, consisting of 356 volumes, form a separate department. The remaining documents of a political character, not classified with the preceding, have been incorporated in the series of *Varia Politicorum*, which contains 173 volumes.

The archives which were brought from the Castle of San Angelo consist of *Instrumenta miscellanea* and *Armaria.* They contain, in small wooden cases, various manuscripts, reports of notaries, inventories and the like, which throw important light upon the definite periods to which they belong. They are arranged in chronological order, and must not be overlooked by the student of the Archives for historical material.

There are also distinct, more or less extensive departments referring to the great Councils, particularly those of Constance, Bâle, Ferrara, Bologna and Trent.

III.

Previous to the opening by Leo XIII of the Secret Vatican Archives to the learned world of inquirers, exceptional admission had been allowed at times to properly accredited investigators. Through their labors a number of important works were published. Besides the various Bullaria, that is to say the Romanum, and those of separate pontiffs and of Religious Orders, we have from this source the *Annales Ecclesiastici* undertaken by Baronius, and continued, first by Raynaldus Loderchius, and later on by Augustine Theiner, prefect of the Archives, and. like his predecessors in this work, a member of the Oratory. The last-mentioned writer added three volumes to the *Annales*, bringing the work up to the year 1585. To the untiring zeal of Theiner we owe likewise

1 Much that is exaggerated and untrue has been written about the alienation of documents from the Archives, especially those which refer to the reign of Adrian VI. A writer in the Hist. Jahrbuch der Görresgesellschaft of last year has shown that such statements rest on mere gratuitous assumption.

a number of publications taken substantially from the Archives, notably from the *registra*. Among these must be mentioned: Monumenta Hungariae (2 vol., 1859); Monumentae Russia (1 vol., 1859); Monumenta Poloniae et Lithuania (4 vol., 1860); Monumenta Hiberniae et Scotiae (1 vol., 1860); Monumenta Slavorum Meridionalium (2 vol., 1863); and the Codex Diplomaticus Sanctae Sedis (3 vol., 1861–62).

The *registra* of Innocent III had already been published during the seventeenth century by the French savant Baluze.[1] In 1776 another French historian, Port du Theil, copied from the original documents in the Archives about one thousand pieces which related to the history of France. They have never been printed, but are preserved in the National Library of Paris. Besides the writers of the present century whom we have already mentioned as active in the departments of the Archives—Pertz, Bethmann, Munch and Dudik—a number of others must be mentioned who have published the results of their labors either in periodicals or in book form. They are Posse, Palacky, Hǫfler, Lammer, de Lépinois, G. Amati, E. Müntz and E. Berger. The English Commission of Records had sent Mr. Bliss to the Archives, who subsequently published in several volumes the fruits of his researches, referring to England.

But these efforts which were more or less isolated and sporadic, have, since the opening of the Archives, given place to an organized method of investigation, the outcome of which has been the appearance, each year, of a series of publications, more or less comprehensive, regarding the general and special features of this great collection of documents. The student not familiar with the topography, methods and contents of the Archives, will do well to consult, besides the writings of Grisar, De Rossi, Löwenfeld, Dilkamp, and Gottlob, already mentioned, the dissertations of Ottenthal concerning the *registra* of the twelfth and thirteenth centuries, and the *registra Bullarum* of Martin V. and Eugene IV.; also Kaltenbrunner on the *registra* of the

1 These have been reprinted in the Migne edition of the Fathers.

thirteenth century and the fragments of the older *registra Brevium;* Werunsky's comments on the *registra* of Clement VI. and Innocent VI.[1] Mention should also be made of Rodenberg's dissertation on the *registra* of Honorious III., Gregory IX. and Innocent IV. in the *Neues Archiv für ältere deutsche Geschichtsforschung* 1885; Delisle's "Les régistres d'Innocent III.," in the *Bibl. de l'école des Charts*, 1885; Digard's "La série des régistres pontificaux du XIII. siècle," ibid. 1886. Finally, we must refer to Denifle's treatises on the pontifical *registra* of the XIII. century, the inventory of the same for the year 1339, and his dissertation upon the character of the documents and regesta of the XIII. and XIV. centuries, published in the *Archiv für Litteratur und Kirchengeschichte* 1886 and 1887. On occasion of the sacerdotal jubilee of Leo XIII. P. Denifle published an excellent reproduction of some pages from the *registra* (Innocent III. to Urban V.) under the title *Specimina palaeographica*, which are of great practical use as schooling the student in the reading of documents.

Some of the volumes of the *registra* are published complete. Besides that of Innocent III., which we owe to Beluze, as mentioned above, Pressuti has undertaken to edit those of Honorius III., one volume of which, embracing the first five years of that pontiff's reign, has already appeared in print. The edition of the *registra* of Clement V. has been entrusted to a commission of Benedictines of different nationalities, who have completed their task up to the long expected Indices of names and places. The present writer has published the *registra* of the antipope Nicolas V.[2] A commission composed of members of the Ecole Francaise at Rome has undertaken to edit the *registra* of the pontificates between Honorius III. and Clement V. Several of these are already completed, and it is confidently hoped that within a few years we shall have the entire edition of *registra*, sixty-two volumes,

1 All of these may be found in the *Mittheilungen des Institut's für östreich. Geschichtsforschung* for 1884 and 1885.

2 *Archival. Zeitschrift*, Neue Folge IV., 123–212. A century later we find another pontiff who legitimately assumed the name of Nicolas V.

from Innocent III. to Clement V. inclusive. But the next succeeding *registra* will require a new system of editing, for the long pontificate of John XXII. places before the student an immense mass of material which must be dealt with in parts. There are for this single pontificate fifty-five volumes, each containing from a thousand to fifteen hundred documents. Hence they will have to be taken up separately and classified according to countries, ecclesiastical provinces, orders, etc. A similar method has already been followed in former instances, as exemplified by the *Acta Pontificum Helvetica* by Bernonilli; the papal documents and Regesta regarding the modern province of Saxony, by Kehr and Schmid;[1] the papal documents of Westphalia to the year 1378, by Finke;[2] documents concerning the province of Posen, by Ehrenberg; the "Bullarium Trajectense," by Brom; the "Livonica" mainly of the thirteenth century, by Hildebrand; the researches regarding the archdiocese of Salzburg to the year 1280, by Hauthaler; the "Monumenta Hungariae," by Franknoi; those concerning Hungary (Siebenbürgen), by Müller; the Vatican Acts as material for a history of Germany under Louis of Bavaria, by Riezler; the "Epistolae saec. XIII. e regestis Pontificum Romanorum selectae" (for a history of the German Empire), by Rodenberg; likewise the Acts furnishing material for a history of Kings Rodolph I. and Albrecht I., by Kaltenbrunner; a number of regesta from the *registra Vaticana* are to be found in Vol. V. of the *Archivum Komisyi historycznei*, Cracow, by Wladylawa. Among the regesta which contribute to the local history of diocesan, monastic and parochial institutions, must be mentioned those published by Starzer for Nether-Austria. Likewise of great value are the "Chartularium Universitatis Parisiensis," by Denifle; the numerous monographs from the pen of the eminent Jesuit, P. Ehrle, recently

1 "Päpst. Urkunden und Regesten, die Gebiete d. heutigen Provinz Sachsen und Umlande betr." *Geschichtsquellen der Provinz Sachsen.* Vol. XXI. and XXII.

2 D. Papst-Urkunden Westphalen's bis 1378. *Westph. Urkundenbuch*, Vol. V.

appointed Custodian of the Vatican Archives.[1] Domarus, member of the Görres-Institute, is at present publishing the regesta of Adrian VI., last of the foreigners who have occupied the papal chair. Soon, too, we may look for a new "Gallia Christiana," by the author of "Problèmes d'histoire ecclesiastique concernant Avignon et le Comtat Venaissin," and of "Histoire des évêques de S. Paul-Trois-Chateaux." The author Albané is at present engaged in disposing the results of his researches for the press. In a similar way the writer of these lines is preparing to edit a series of the "Hierarchia Catholica medii aevi," which, it is hoped, will take the place of the rather unreliable "Series Episcoporum" published by Gams.[2] Various new data about the great schism have likewise been obtained from the Archives and published by Gayet, Valois, Sauerland and Eubel. The Roman 'Quartalschrift,' for 1892, has published fresh material concerning the founding of the first sees in America.[3] The American, De Roo, published the Bull of erection of the first Apostolic Vicariat in America after its discovery by Columbus; and Eubel, the Bull of nomination of the first bishop in the Canary Islands.

Thus a number of valuable papers have been brought to light which in the main are drawn from the volumes of the *registra*. There is, moreover, a great deal of copied material which still awaits publication. Among such we may mention the labors of Wagner, Bippen and Grote about the ecclesiastical province of Bremen; the work of Hirsch and Baumgarten about the ecclesiastical province of Treves; the researches of Legras concerning the ecclesiastical province of Rheims; Kretschmar's work on the ecclesiastical provice of Brandenburg; Schneider's on Würtenberg; Weech on Baden. Several Dominicans and Franciscans, including

1 "Die Spiritualen," "Vorgeschichte des Concil's von Vienne," "Inventar d. päpstl. Schatzes," "Neue Materialien zur Geschichte Peter's von Lune" (Benedict XIII.) See *Archiv. f. Litt. u. Kirchen-Geschichte.*

2 P. Eubel's work will for the present embrace the hierarchical series from 1198 to 1431. *Edit.*

3 Under the title "Aus den Consistorialakten von 1530–1534.

members of the Capuchin Order, have been active in completing copies of the Bullaria or Annals for their respective Orders.[1] We must not omit to mention here that the late Cardinal Hergenröther had undertaken the publication of the Regesta of Leo X., and had actually brought the work down to the 16th of October of 1515, completing 18,070 numbers, when death overtook him. Since then the work has remained untouched; but it will unquestionably be resumed at an early date by some competent scholar.

The researches made in the Archives, although mainly directed to the study of *registra*, has not been wholly confined to that department. The volume containing the supplicats have all been examined and prepared for publication. Thus the early portions referring to the Pontificate of Martin V., have been copied under the direction of Miltenberger, member of the Görres-Institute. P. Denifle has carefully gone over the 479 volumes of supplicats from Martin V. to Nicholas V., inclusive, for the purpose of utilizing the pertinent documents for his "Auctarium Chartularium Universitatis Parisiensis." Arnold, member of the Prussian Institute, has recently published a volume from the supplicats of Eugene IV. Among the Documents of the Camera Apostolica those which refer to the "Collectoriae" in Germany during the XIV. century have been published by Kirsch, who has also written upon the system of annual taxes.[2] Jangl has published a treatise on the system of taxation in the Pontifical Chancery from the XIII. to the XV. centuries,[3] and another on the order of the Pontifical Chancery from 1200 to 1500. Special attention has been devoted to the reports of the nunciatures. Concerning the German nunciatures, Friedenberg, of the Prussian Institute, has published four volumes including 1533 to 1559; Hansen two volumes, from 1572 to 1582; Kiewenig one volume, from 1628 to 1630; Dittrich, of the Görres Institute has edited

1 Compare for a general survey of the publications made from the Vatican Archives since 1881, an essay by Schmitz in the *Röm Quartalschrift*, 1893.

2 Histor. Jahrb. IX., 300 sq.

3 Mitth. d. Instituts für östr. Geschichtsf. XIII., 1–106.

the reports of Morone for 1539 and 1540. Ehses and Meister, of the same institute, have published one volume including the years 1585–1590. Besides this Ehses has printed the Roman documents regarding the divorce of Henry VIII. of England. At present Schnitzer is preparing the reports of the negotiations which preceded the Westphalian Peace. The Austrian Institute is about to publish the reports of the nunciatures during the second half of the sixteenth century.

The documents referring to the Councils have likewise been taken in hand. Haller, member of the Prussian Institute, is ready to publish the papers pertaining to the Council of Bâle, whilst Ehses, and Merkle, of the Görres Institute, are about to publish an edition of the Acts of the Council of Trent, which will be not only an advance upon Theiner's two volumes on the same subject, but is expected to present a basis for an entirely new history of the Council, taking the place of Sarpi's and Pallavicini's work which have been hitherto considered as unexceptional authorities.

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THE GENEALOGIES OF JESUS CHRIST.

EVERY one knows of the problems, intricate and many, involved in the two evangelical genealogies of our Lord, and it may easily be realized that within the limits of a single article, treatment of them must be of a summary, even incomplete kind. Withal such an imperfect review is not without its use, if it place within convenient call a digest of the work expended upon the subject. The order of our studies will be as follows: I. St. Matthew's Genealogy; II. St. Luke's; III. Comparison of both, and General Results.

I.

THE GENEALOGY OF ST. MATTHEW.

Between it and earlier Jewish records there are seeming contradictions: (a) Matthew says that Jechonias was the son

of King Josias (i, 11); in I Para. iii, 15, 16, we read that he was the son of Joakim, the second son of that King. (b) In i, 8 Matthew writes that Joram begot Ozias; but in I Para. iii, 11, 12, the record runs. . . . "Joram begot Ochozias, of whom was born Joas; and his son Amasias begot Azarias" (the same name as Ozias). (c) In Matth. v, 12, Salathiel begets Zorobabel; in I Para. iii, 16-19, Phadaia, the brother of Salathiel, is the father of Zorobabel. Zorobabel, therefore, was Salathiel's *nephew*—not his son. How can these omissions and differences on Matthew's part be accounted for? There is scarcely need of accounting for them. Such traits characterize many Jewish genealogies. Turn, for example, to I Para. vii, 6, 7: you read there that the patriarch Benjamin had three sons—Bale, Bechor and Jadihel; but in the same book—viii, 1, 2—he is represented as having *five*—Bale, Asbel, Abara, Nobaa and Rapha. In Numb. xxvi, 38, the names of the five sons are, Bale, Asbel, Abiram, Supham, and Hupham; and, finally, in Gen. xlvi, 21, *ten* sons are assigned to Benjamin, and their names are Bale, Bechor, Asbel, Gara, Naaman, Eclia, Ros, Neophim, Ophim, and Aved. Again, there is the case of Zorobabel, mentioned above as one of Matthew's inconsistencies; the inconsistency is not on Matthew's part. He merely repeats I Esd. iii, 2; II Esdr. xii, 1, and Ags. i, 1. It is these documents which are at variance with I Para. iii, 16-19, where Zorobabel is described as the son of Phadaia, the brother of Salathiel. The loose use of the words "begot" "son," and the like, and a free hand in adding to or omitting from such tables can in nowise be considered as doing away with their authority or rendering them useless. In Hebrew lists certain crossings of relationship, often obscure and unexpected, had to occur owing (a) to the peculiar institution known as the *Levirate* law; a brother dying without issue, it fell upon a living brother to take his widow to wife and raise up seed to him, and children born of this union were to be credited to the dead man in the official lists, (Deut. xxv, 5, 6); and (b) to the law of heirship promulgated in Numb. xxv-xxvii, 8-11: "When a man dieth without a

son his inheritance shall pass to his daughter. If he have no daughter, his brethren shall succeed him. And if he have no brethren, you shall give his inheritance to his father's brethren. But if he have no uncles by the father, the inheritance shall be given to them that are the next akin;" and (c) to the ordinary exclusion of women from the family records, (their names were inserted for special reason; to secure right in property, etc.). Thus, on the basis of the Levirate law, the confusion in the record of Zorobabel might be explained in this wise: Salathiel dying without issue his brother Phadaia raised up seed to him, of which was Zorobabel. Or, if the enactment in Numbers be made the basis of our supposition, the explanation would be that the kingly prerogative of the childless Salathiel reverted to his next of kin, Phadaia's boy, who hence was officially—not Salathiel's nephew, but—his son, because his successor.[1] Another peculiarity of Jewish genealogists was their practice of distributing records into divisions, each containing some favorite or mystical number; and in order to effect this generations were either repeated or left out. "Thus in Philo the generations from Adam to Moses are divided into two decades, and one hebdomad, by the repetition of Abraham. But in a Samaritan poem, the very same series is divided into two decades only, by the omission of six of the least important names."[2] In like manner St. Matthew himself starts out with an evidently arbitrary division of his table into fourteen generations between Abraham and David, between David and the Exile, between the Exile and Christ; although the years between David and Abraham were probably more than the years of the other two periods added together.[3]

1 "In a record, when the direct line failed, the heir would naturally place his name next to his predecessor, though that predecessor was not his father, but only his kinsman."—Smith's Dict.

2 Smith's Dict. art. "Genealogy of Jesus Christ."—Am. Edit. Vol. I, p. 886.

3 One of Matthew's tessaradecades—the last—numbers but thirteen; how explain this? Alford would supply the omission in this way: 1st division. Abraham to David—inclusive—ἀπὸ Ἀβραὰμ ἕως Δαυίδ: 2d. decade David—again included—to about the time when Josias begot Jechonias—ἀπὸ Δαυίδ

The confusion in the spelling of names, so glaring even in the few records we have seen, brings to mind St. Jerome's remark that these have been so corrupted by copyists as to appear more like barbarous Samaritan sounds than Hebrew patronymics (Introd. ad Paral.). As bad an example of this corruption as one could wish for are the names of the high-priests in Josephus; they are scarcely recognizable. An instance of misspelling, interesting to us, is Matthew's Abiud (i, 13) in Hebrew אֲבִיהוּד which in Luke (iii, 26) is shortened into Juda—the Hebrew יְהוּד; both words being identical with the Oduia—Hebrew הוֹדַוְיָהוּ of I Par. iii, 24; and this, in turn, in I Esdr. iii, 9, is written Juda—יְהוּדָה.[1] So long as any of these differences between records do not interfere with the essential aim of a genealogical table, *i. e.*, the preservation of a family's genuine or official line—they are of small import, and in the genealogy presented in St. Matthew this main purpose is evidently guarded and attained.

II.

THE TABLE OF ST. LUKE.

This record, unlike St. Matthew's, is noticeable, not for

ἕως τῆς μετοικεσίας Βαβυλῶνος; 3d. ἀπό τῆς μετοικεσίας Βαβυλῶνος (*i. e.*, from Jechonias) ἕως τοῦ Χριστοῦ. Such an arrangement would not be exceptional. An explanation even more probable is that Jechonias stands in the eleventh verse for Jehoac*him* (Joakim, and in the thirteenth for Jehoiac*hin* (Joakin); two names commonly considered as the same by Latin and Greek writers, *e. g.*, Clemens Alex., Ambrose, Africanus, Epiphanius, as well as the author of III Esdr. i, 37-43, and others. The mention of "brethren" in Matth. i, 11, shows us that there it is question of Jehoiachim—for he had brothers; cf. iv Kg. xxiii, 31, and xxiv, 18, and xxiii, 30 and 34. The omission of "brethren" in Matth. i, 12, is evidence in favor of the reading—Jehoiachin (Joakin), for in IV Kg. xxiv, 12, *no brothers* of this ill-fated ruler are mentioned. In early times, therefore, the two names became confused. Up to his day Irenaeus bears witness that Joseph's genealogy, as given by St. Matthew, expressed both Joiachim and Jechonias.—Smith's Dict. art. "Genealogy of Jesus Christ," par. 3. We may be sure that in St. Matthew's mind the tessaradecades were complete. An error could not escape his Jewish intellect, by education abnormally alive to such mistakes.

1 Smith's Dict. art. "Genealogy of Jesus Christ," par. 3. Am. edit., Vol. I, p. 886.

omissions but, for a remarkable addition. In iii, 26, we find Cainan introduced as a son of Arphaxad—a name to be found neither in the Hebrew original, nor in the Samaritan version, nor yet in the Targums; it exists only in the Septuagint (Gen. xi, 12-13). Alford considers that its presence here furnishes a curious instance of one of two things: "either (1) the corruption of our present Hebrew text in these chronological passages; or (2) the incorrectness of the Septuagint, and notwithstanding that (incorrectness), the high reputation which it had obtained in so short a time. Lightfoot holds the latter alternative, but I own I think the former more probable." Another explanation would be that offered in Kitto's Cyclopedia: "We may infer from the fact that neither Philo nor Josephus, who in other respects follow this version, receive this name as genuine, that it was not found in the earlier copies of the Septuagint. And it is clear, moreover, that Irenaeus, Africanus, Eusebius, and Jerome reject it as an interpolation," (art. Genealogy). Whichever explanation one adopts, responsibility is removed from the Evangelist.

A second odd trait in Luke's record, which may not be thought sufficiently explained by the general considerations already submitted, is that in I Para, iii, 18-24, the names of Zorobabel's seven sons are recorded, but among them there is none named Reza (Luke iii, 27). Here we have simply a scribal error, introducing from the margin into the text a title, and turning it into a proper name. Reza is the Aramaic רִישָׁא meaning *prince* (afterwards evident in the term applied to the Jewish Patriarchs רֹאשׁ אָבוֹת, a prefix in the unchanged original applied to Zorobabel, whose son, therefore in Luke (iii, 27) is Joanna, a Greek form of חֲנַנְיָה (I Para., iii, 19). The identity of Juda (Luke iii, 26) and Abiud (Math. i, 13) has been explained above (p. 24).

III.

COMPARISON OF BOTH TABLES, AND GENERAL RESULTS.

It is noteworthy that although genealogies are plentiful in the Old Testament, in the New, we have but our Lord's. The reason is plain. In Him all such registers had their

climax, and, His fixed, their object in the Divine plan was attained. To account for the Evangelists' two genealogies, professing to be of the same person, yet differing in their contents, many means have been devised. The leading suggestions are as follows:

1. The lists are imaginary, intended to set forth the union of royal and priestly descent in Christ, a view about as worthy of consideration as this other one, that from the time of David all Jews had two names, and that in certain cases Matthew and Luke chose differently.

2. Africanus advanced an explanation, which, he claimed, had the authority of the Δεσπὸσυνοι those who claimed to be blood-connections of our Lord. It was that Mathan, in Matth. i, 15, and Mathat, in Luke iii, 23, married, successively, the same woman. By her Mathan begot Jacob, and Mathat, Heli. Heli dying childless, his maternal brother took his widow to wife, whence came Joseph, who, in accordance with Deut. xxv, 5 ff, was registered by Luke as the son of Heli, although naturally, as Matthew states, the son of Jacob. A weak point in this theory is that it assumes the extension of the Levirate law to *half-brothers*—an assumption without the warranty of known facts.

3. A theory favored by Grotius and other Protestant divines, took for granted the tradition that Heli and Jacob were both sons of the same mother, but of different fathers—Mathan and Mathat; and then goes on to assume that Matthew traces the *legal* pedigree of Jesus, and Luke, the *natural*. Grounds for the assumption are, on the one hand, the childless condition of Jechonias (Jer. xxii, 28-30), Salathiel, his *legal* son being the *born* child of Neri; and, on the other, Heli and Jacob being only half-brothers on the mother's side, and the Levirate law having in mind full-brothers, Jacob did *not*[1] marry Heli's widow.

4. *Luke's genealogy is that of Mary.* The Jews, it is claimed, unless in extraordinary cases, such as that of Rahab, Thamar, and Ruth, reckoned wholly by males. Now, Mary

1 In this point the theory differs from the preceding one of Africanus.

was certainly of David's kin, as we see from Luke, i, 32; moreover, in early Christian tradition her father's name is recorded as Joachim, which is interchanged with Eliachim in II Para. xxxvi, 4; and of this last word a shorter form is Eli or Heli. With this in mind it would seem allowable to read Luke, iii, 23, as follows: *Ἰησοῦς . . . ὢν (ὡς ἐνομί ζετο) υἱὸς Ἰωσήφ, τοῦ Ἡελεί,* i. e., "Jesus being (as was supposed) the son of Joseph, but in reality the son of Heli"—or his grandson on the mother's side,—for so the ellipsis should be supplied. Another view would be that Heli having but one child, Mary, the fact that Joseph espoused her, made him Heli's son-in-law, a relationship that in the records counted as son. Mary's name is not mentioned by Luke, for the Jewish custom forbade its inscription upon the family records (documents always treated as public documents), from which e copied his table.

5. We can appreciate how the obscurities in each of these hypotheses drove a candid man like Alford to confess: "It is quite beside the purpose of the present commentary to reconcile the two [genealogies]. It has never yet been accomplished, and every endeavor to do it has violated either ingenuousness or common sense." If this was a fair estimate of the case when his Greek Testament was published in 1856, it is hardly such now; for since then a truly serious and reorganizing piece of work has been accomplished by the English churchman, Lord Arthur Charles Hervey. It is not that this scholar has originated so much, but by the discriminating use of old materials he managed to arrive at a consistent and clear exposition and harmony of the two genealogies. His opinion is that Matthew traced, not the *legal*, but the *royal* line of Jesus' descent; while Luke follows up the *actual blood connection.* What reasons can be urged in favor of this view?

(*a*) Other than merely natural genealogies were common among the Jews. The cursory reader of the Old Testament can see (1) how genealogy often broadens out into historical or ethnographical summary (Gen. v 21–24; x; xi 27–32, etc.) and (2) that birth is not the only ground of incorporation

into them (cf. Caleb, Joab, Segub, and the sons of Rephaia in I Para. iii, 21). Genealogical registers developing the line of passage for royalty or priesthood are common; rather the subservience of other details in pedigrees to the national and religious ideals, is the characteristic of such records; hence from Abraham's time it is the messianic expectation that gives importance to human tables of descent.

(*b*) The fundamental idea of Matthew, as far as it can be gathered from his book, was to present Jesus to the Jews as David's offspring, in whom the Old Covenant was fulfilled. His doctrine and life are presented as embodying the essence and principle of the Old Testament; and thus is He exhibited as the promised Christ. By Him the Theocracy is transformed into the everlasting kingdom of Heaven; and this He accomplishes in His capacity as Prophet, High Priest, and King. The notion of Messiahship is personified by Him in its most complete sense. If there be a genealogy in a book written with such a purpose, certainly it ought to be in harmony with the book's aim; and thus it should expose the *royal* line, by which the Messiah had to come did He wish to be acknowledged of the Jews. This table, then, of Matthew, is intended to establish Jesus as a rightful heir to the royalty of David.

(*c*) Of course the royal and natural line *can*, theoretically, coincide; and *per se* Matthew's register *could* stand for both. Nevertheless, this actual agreement rarely happens, owing to the extinction of stocks, and the necessity of introducing collateral or even affinital stems. Among the Jews such an identity of records was rendered impossible for any length of time, owing to the laws already quoted, to wit, the Levirate enactment, the succession, regulations, etc. Consequently, in their kingly line, extending over one thousand years, blood-crossings occurred frequently. Every Jewish pedigree should be read in the light of that nation's genealogical customs and laws; and these ought, as matter of fact, solve all pressing difficulties. They serve this purpose well, although at times it may remain an open question as to

which particular regulation was applied in a case capable of a twofold solution. Examples are at hand to illustrate. Thus Jeremiah prophecies of Joakim, king of Juda: "He shall have none to sit on the throne of David" (xxvi 30); yet in the opening verse of the next chapter there is mention of Jechonias, the son of Joakim. One explanation might be, that good conduct on Joakim's part earned a reversal of the divine decree, and the prophecy, the conditions wanting, remained unfulfilled. But a more probable explanation is, that Joakim's line being extinct, the next of kin, becoming his successor, is reckoned his son. If there be room for an alternative in this first instance, there is not in the second—in the case of Jechonias himself. Jeremiah's words are: "As I live, saith the Lord, if Jechonias, the son of Joakim, the king of Juda, were a ring on my right hand I would pluck him hence . . . . write this man barren . . . . for there shall not be a man of his seed that shall sit upon the throne of David and have power any more in Juda" (Jer. xxii 24–30). That "his seed" means Jechonias' own issue, and not the extinction of David's royal line, is clear from the fact of Zorobabel's princeship and power in Juda afterwards. Now this prophecy, as far as it foretold other misfortunes, such as exile, etc., was fulfilled. We have no ground to assume that the detail of Jechonias' barrenness was not verified. But in I Para. iii, 17, 18, we find sons of Jechonias registered; no less than eight of them: Asir, Salathiel, Melchiram, Phadaia, Sumeser, Jecemia, Sama, and Nadabia. Knowing the laws of Jewish genealogies, there is but one conclusion possible—these were Jechonias' next of kin in the line of royal descent, probably the sons of his brother Sedecias (I Para iii 16), of whose progeny there is no mention.[1]

(*d*) Since, then, Solomon's line became extinct, the interesting question arises—to what strain of David's blood did the prerogative of royal succession divert? St. Luke answers: To Nathan's, as of this stock was Neri, the father of Sala-

1 At this point in Jewish history, crossings in the line of succession are naturally confusing, owing to the arbitrary actions of Pharaoh Necho and Nabuchodonosor.—Cf. IV Kings xxiii 30, to xxv.

thiel. Such a diversion is in accordance with Numbers xxvii, 8–11. What took place in the case of Salathiel also occurred in that of Zorobabel. No other explanation of his being the son of Phadaia (I Para. iii 19) and at the same time the son of Salathiel (I Esdr. iii 2) can be offered.

(*e*) After Zorobabel we find the records of Matthew and Luke coinciding for four generations (the seeming contrariety introduced by Reza and Abiud being explained above). Such an agreement could not long continue, and so, ere long, the royal and blood lines again separate to meet in Mathan or Mathat, to whom are assigned *two* sons: Jacob (Matth.) and Heli (Luke), but only *one* grandson—Joseph, who was espoused to Mary, the reputed father of Jesus who is called the Christ. "The simple and obvious explanation of this is, ... that Joseph was descended from a previous Joseph (Luke iii 26), a younger son of Abiud (Juda in Luke iii 26), but that on the failure of the line of Abiud's eldest son in Eleazar (Matth. i. 15), Joseph's grandfather Mathan became the heir; that Mathan had two sons, Jacob and Heli; that Jacob had no son, and consequently that Joseph, the son of his younger brother Heli, became heir to his uncle and to the throne of David. Thus, the simple principle that one Evangelist exhibits the genealogy which contained the successive heirs to David's and Solomon's throne, while the other exhibits the paternal stem of him who was the heir, explains all the anomalies of the two pedigrees, their agreements as well as their discrepancies, and the circumstance of there being two at all. It must be added, that not only does this theory explain all the phenomena, but that that portion of it which asserts that Luke gives Joseph's paternal stem, receives a most remarkable confirmation from the names that compose the stem. For if we begin with Nathan, we find that his son Mathatha and four others, of whom the last was grandfather to Joseph, had names which are merely modifications of Nathan (Matthat twice and Matthathias twice). If we begin with Joseph, we shall find no less than three of his name between him and Nathan; an evidence of the most convincing kind that Joseph was lineally descended from

Nathan, as St. Luke represents him to be (Comp. Zach. xii 12)."[1]

(*f*) An introductory question concerning St. Luke's Gospel has so far been passed over. Matthew's purpose in writing his gospel was put forward as the *raison d'être* of his table being a *royal* one; what purpose on the part of Luke justifies us in making up our minds that he presents a *natural* pedigree? Luke was the disciple and, in a sense, the reflection of St. Paul and his apostolic idea.[2] The instruction of a cultured convert became for him the occasion of putting into writing the Gospel of his master—*i. e.*, to trace the life of the Saviour in its wide comprehensiveness as a message to all the nations, full of mercy and hope, announcing to a whole world salvation assured by the Sacrifice of the Cross. In presence of such a purpose, royal prerogative and national expectation and ties sink into a secondary place, and that which stands out, impressing itself on the reader from the outset, is Jesus as the Man related of all men. For this universal relationship there is but one basis—the blood-bond, possession of, and participation in, the one human nature. Hence Luke, writing the story of Our Lord as the Divine Man of the Race, Gentile and Jew, a genealogy from him would naturally be a record of this sole bond of universal connection—the line of actual descent.

(*g*) Granting that, theoretically, the records submitted by the Evangelists may be harmonized, the pertinent inquiry presents itself: Where could they get reliable data, each for

1 Lord Hervey in Smith's Dict.

2 "The earlier account of the origin of the gospel of St. Luke is strictly parallel to that of the origin of St. Mark's gospel, but less detailed. 'Luke the follower of Paul,' says Irenaeus, 'set down in a book the Gospel which he (Paul) used to preach' . . . Tertullian speaks of St. Paul as 'the illuminator of St. Luke,' and says that the summary (digestum) of Luke was generally assigned to Paul.' The allusions which St. Paul makes to 'his Gospel' (Rom. II, I6; XVI–25; 2 Tim., II–8; cf. 2 Cor., VIII–18) and to St. Luke soon gave rise to the supposition that he himself used the gospel of St. Luke. Even Origen speaks of 'the Gospel of Luke as that praised by Paul;' and the tradition assumed a more definite shape in the writings of Jerome and the Pseudo-Athanasius." Westcott's Introd. to The Study of the Gospels, p. 189; cf. also, p. 238–9.

his own purpose? Marriage and birth records are not a modern institution. In earlier times, and particularly among the Jews, family records were of much more practical importance than now; land and tribal rights depended on them; so did priestly privileges, powers of heirship, &c. Hence we find genealogy at the foundation of all Jewish organization. Every census, local or general, of a class or of all the people, meant a fresh examination of the tables of descent, connection, &c. Such words as those of I Para., IX, 1—"And all Israel were numbered and the sum of them written in the Books of the King of Juda and Israel"—taken in connection with the contents of the whole book, present a good example of the important place held by genealogical lists as public or private documents. Passing on from the days of the Kings to those of the Exile-Return we find much of the work of Esdras and Nehemias to be of a genealogical nature; and after their times incidents, implying the care of the people in preserving their registers, are not wanting—I Mach., II., 1-5; VIII, 17: XIV, 29; Judith, VIII, 1, &c. That Luke (III, 1) tells us of a census at the beginning of our period, based on genealogy—since each Israelite was to be numbered in the tribal city of his family—is simply what the student of Scripture would naturally anticipate. For the Evangelists to obtain authentic materials for the tables they give us, it was an easy matter to consult the genealogical documents which were public property, or the private copies of those which every orthodox Jewish family was careful to preserve.[1]

(*h*) The most interesting aspect of the evangelistic genealogies is their bearing upon the descent of the Virgin Mary. After all, *her* pedigree is the important consideration. Let it be remembered, to start with, that the two evangelists who preserved the genealogies are also the two who in detail narrate the story of Mary's miraculous conception of Jesus and of her unbroken virginity. Matthew and Luke are they who give the tables as of Joseph *nominatim;* and Matthew

1 Cf. Josephus—De Vita Sua, §1; Cont. Apion., 1-§7.

and Luke tell that Mary's *Messianic* parentage was unshared by him. The evangelists were surely cognizant of any real inconsistency involved in these seemingly discrepant facts; evidently for them no such real discrepancies existed. However, they are not with us to say just how their tables apply to the Virgin. We must, then, be satisfied with suppositions, possible or probable. Matthew's record can apply to Mary in this wise: Joseph, as we have seen, succeeded to the royal rights of his grandfather Mathan or Mathat. These rights, in turn, descended to his espoused wife's son, whose miraculous origin was publicly unknown, and who in the family record must be entered as his successor. Under this supposition it was through her espousals that Mary's Son had title to the Davidic succession. Nevertheless, St. Matthew implies that Mary herself was of the royal blood; for she, he tells us, is the Virgin in whom Isaiah's messianic prophecy of David's line was fulfilled. The bearing of St. Luke's table upon the Virgin seems to be even closer than St. Matthew's. In the very record itself he reminds us that Joseph was but the *reputed* father of Jesus, and yet it is of Jesus he gives the pedigree. Certainly in this paradox there is some excuse for the forced interpretation of the 23rd verse of his third chapter—presented in a previous paragraph. Candidly this 23rd verse will bear, however, a less strained arrangement which at the same time constitutes it *Mary's* record. The verse can be read: "And Jesus himself was beginning about the age of thirty years (being, as it was supposed, the son of Joseph), who was of Heli, who was of Mathat, &c. This construction would pass muster in Hebrew syntax, and St. Luke's original sources for his table, let it not be forgotten, were Hebraic. In this new reading Jesus would be of Heli, through his daughter Mary, whose father's name as preserved in early Christian tradition, can easily be made fit with this view.[1] That Luke knew Mary to be of David's line seems clear. He reports the Angel's words—"And the Lord God shall give unto him the throne of his

1 Heli, a short form of Eliakim, which in turn exchanges with Joachim—cf. supra.

father David"—and in the same breath tells us that Mary's substance alone entered into the formation of Jesus (I, 26–38). After this manner the second part of a theory previously exposed might be reformed, and used to strengthen Lord Hervey's view. If such an addition be unacceptable it must be confessed that we have only the implications of the evangelists (v. s. Matth. i, 2, 3; Luke i, 32) and early tradition as evidence of consanguinity between Mary and Joseph.[1]

However strange or far-fetched this interpretation of the Gospel genealogies may appear to us, the feeling should, in some degree, be attributed to our lack of familiarity with records of that nature. Had we the practical reasons of property, privileges, &c., as the Israelites had, to attract us to similar pedigree-keeping, no doubt we would be as devoted to its pursuit as they were, and as much at home in the inevitable obscurities and tangles inherent to the subject. To an adept in heraldry, problems akin to those presented by Our Lord's twofold genealogy, are, allowing for the differ-

1 Two notes of the Abbé Fouard are not out of place here . . . "Nowhere in the Gospels is it distinctly asserted that Mary was a descendant of David; nevertheless it leaves us to understand as much. For Jesus, indeed, was born of her, not by any human commerce, but by the operation of a Divine Mystery (Matth. i, 18, Luke i, 34); therefore, He is, properly speaking, her Son, and her's alone. Now, this her Son is called by St. Matthew the Son of David (Matth. i, 1; cp. St. Paul Rom. i, 3); very evidently this can only be understood to mean that Mary was likewise a daughter of the great King. The most ancient Fathers are unanimous upon this point, and the apocryphal Gospels take the same view (S. Justin *Adversus Tryphonem* 23, 45, 100; St. Irenaeus *Adversus Haereses* 2, 21, 5; Julius Africanus, *Epistola ad Aristidem*, etc.; *Proto evangelium Jacobi*, 10). *The Testament of the Twelve Fathers* is the only one which differs from the others; this last makes the Messiah born of Juda and Levi." "Mary was of the tribe of Juda (Luke i, 32), and Elizabeth was a daughter of Aaron (Luke i, 5). To understand how they could be cousins (Luke i, 36), although belonging to different tribes, we need only suppose that their mothers were sisters and of the tribe of Juda. Hence one might have married one of the Levites, whereas the other found a husband in her own family. There was no law to forbid the Levites to take wives from other tribes. The High Priest was the only one who could wed none but the daughters of a Levite (Philo, *De Monarchia*, ii, 11; Exod. vi, 23). "Life and Times of Jesus the Messiah," vol. 1, pp. 28, 29, notes 1, 2. Even Philo's exception may be questioned—cf. Schurer's Jewish People, II Div.

ences between European and Jewish codes, a common occurrence. The absence of them would appear somewhat extraordinary. Besides, it should be a comfort for us to remember that during the first century, in the days when the Hebrew genealogical system was still in existence[1] and when Jewish hatred left no stone unturned to impugn the messianic claims of Christianity, it was never thrown in the teeth of Christians that the pedigrees of their Founder destroyed each the trustworthiness of the other, and that, consequently, his claim to be of David's blood was fraudulent; there is no word of this, if true, fatal objection to His being the Messiah foretold of the Prophets. It remained for a western mind, unfamiliar with Jewish laws and customs, to make much of the difficulty; Julian the Apostate[2] was the first to attack the evangelists on the ground of discrepancy in their genealogical records.

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CLERICAL STUDIES.

XXVII.

HOMILETICS.

PREACHING, as all know, is one of the most ordinary, and at the same time one of the most important duties of the Catholic priest. His mission is primarily that of a teacher: *Euntes docete!* and, under the name of teaching, St. Paul, in his directions to Timothy, comprises all the forms of appeal which may be addressed to the feelings as well as to the minds of men: "Preach the word: be

1 A safe assertion is that this system, as a reliable record, came to an end when Jerusalem and its archives were destroyed. The final complete collapse of David's kingdom, the loss of the nation's land and Temple, deprived such tables of much of their practical value and necessity.

2 Jerome, In Matth. i.

instant, in season, out of season ; reprove, entreat, rebuke in all patience and doctrine." (II Tim. iv, 2.) And, indeed, it is in all these ways that a priest has unceasingly to appeal to his people,—not only from the pulpit, but in the confessional, in the Sunday school, by the sick bed, in nuptial and funeral ceremonies, in the familiar intercourse of daily life. Everywhere he is, actually or potentially, the bearer of a divine message. But he is principally so when he addresses the assembled faithful upon the vital interests of their eternal welfare. Then, indeed, may he say in all truth with St. Paul (II Cor. v. 20) " For Christ we are ambassadors, God, as it were, exhorting by us." He is the envoy of God ; he speaks the word of God, in the name of God. His purpose is the gravest, the most important and solemn that can be conceived of, the very purpose of all creation,—the glory of God and the eternal salvation of souls.

But although his power to promote these paramount interests is, in itself, unlimited, in reality it has for its measure his fitness for the duty. The sacraments of which he is the minister, have an efficacy of their own independent of his personal qualities, but it is otherwise with his work as a preacher. There, in the language of the schools, the fruit comes *ex opere operantis*, in proportion to the effort of the workman and the value of his work. Hence the necessity of a serious preparation.

By none, it must be said, is the need of a preparation more keenly felt than by aspirants to the priesthood in this country. All around them they notice how much the influence and usefulness of a priest are dependent on his qualities as a preacher, and, in the wider field of social life, how high the orator stands among his fellow men. They realize the fact that if in our day the pen is a tremendous power, that of the living voice is greater still, not only upon those whose ear it reaches and who are subdued by its charm, but on the public at large ; for whatever falls from eloquent lips is caught up at once, re-echoed by the thousand voices of the press, and carried instantaneously through the length and breadth of the land.

It is only natural, therefore, that as they look into the future, the prospect of their work as preachers should occupy a considerable share in their thoughts, and, at the same time, stir up and sustain their best energies. What they need, then, is not to be excited, but to be guided, and this will be our chief purpose in the following remarks.

Like all that fits a man for the abiding work of a life-time, the preparation of the preacher should begin early and never entirely cease. Yet it may be said that it belongs in an especial manner to the period of seminary life and to the early years of the priesthood. In the present paper we will confine ourselves to the consideration of what has to be done in the first stage of preparation.

When the young aspirant enters a seminary, much of what will one day make him an efficient preacher is already done. He is educated. His mind has been strengthened by the discipline of accurate, systematic teaching, sharpened by discussions, broadened by varied forms of knowledge. His imagination and his taste have been refined by contact with the most beautiful conceptions of ancient and modern literature. His early lessons of elocution have divested him of the stiffness and awkwardness of the beginner. He has learned to speak, to write, to order his thoughts. In a word, the foundations are laid and the structure begun: it only remains, while completing, to accommodate it to the particular end one has in view.

This implies special work in the threefold direction of knowledge, literary power and delivery. In other words, to preach a sermon in a fitting manner, the preacher has, first, to be sufficiently acquainted with his subject; next, he has to accommodate it to his hearers; thirdly, he has to speak the discourse thus prepared in a way to awaken their attention and sustain their interest. What still remains to be acquired under each of these aspects constitutes the object of his proximate preparation.

I.

First. As regards the knowledge to be acquired by the

future preacher, much has been already said in the foregoing papers. The study of theology in all its forms is, in a large measure, meant as a preparation for the pulpit. Theology is the very source from which religious instruction flows. Its dogmatic teachings supply the matter of doctrinal sermons; its moral principles are at the root of all practical advice and exhortation, while the counsels of Christian perfection are all embodied and systematized in ascetic theology. Not only by the definiteness and accuracy of its statements does theology prove helpful to the preacher, but by its developments, by its proofs, by its deductions, its philosophy, its history. They all have their legitimate place in the sermon; the mind of the average hearer demands them, now one, now another, and generally welcomes them all, provided they be accommodated to his capacity and culture. Once more, the sermon in itself is nothing but theology, dogmatic, ascetic or moral; the difference is only in the presentation.

It follows that, in his theological studies, the future preacher has to keep steadily in view the two aspects of the science; the one speculative and systematic, the other practical and popular. Neither can be neglected with impunity.

First of all to confine himself to what is directly serviceable in the instruction of the faithful would be to miss what gives its chief beauty, majesty and power to the science of theology. Its scientific character would disappear, and with it the strength and efficacy of the sermon itself. As we observed elsewhere, a teacher has always to possess much more knowledge than he imparts. He has to adapt his teachings to the ever varying requirements of his hearers, and is thus compelled, almost at every step, to go below the surface and beyond the traditional form. If his knowledge is confined to the latter, or is but one-sided or half realized, his manner of conveying it will be stiff, or obscure, or inaccurate. He will dread to expand the words of his text, and if he ventures beyond, it will be only to talk at random, or to wander about in a hesitating, helpless way. The preacher needs at every moment to rest his foot on solid

ground. Even in his exhortations he appeals chiefly to theological motives, as they are seen in the light of faith, heaven, hell, the claims of God, the ways of His providence, His infinite mercy, etc. etc. In short, there is no freedom of presentation in the preacher, no depth of doctrine, no true facility and felicity even of expression, if he has not begun by getting a solid, scientific, all-round conception of his subject. The greatest Theologians were not assuredly the most eloquent preachers; but no preacher has won abiding fame who, to his oratorical gifts, did not add a deep and accurate knowledge of theology.

A preacher, therefore, has to be, first of all, a theologian. But to know theology as it is taught in the schools is only part of the work. While studied scientifically and, as it were, for its own sake, it has also to be studied practically and in view of being imparted to others. The student must learn as one who is to teach; he must ever keep before his mind the people he will have one day to enlighten. For in the doctrines upon which he is engaged, there are many things unsuited to them, depths which his trained eye rejoices to fathom, but which to the uninitiated are impenetrable darkness. Almost at every step he notices relations and consequences useful only to himself, nice distinctions which would only puzzle and perplex his hearers. All these he has to set aside for his own uses, or keep in the background.

On the other hand, there are in these same doctrines, in their developments, their proofs, their applications, certain aspects accessible to the ordinary mind, and at the same time more attractive, more striking. There are analogies, points of contact with the facts of nature or of human experience, which make them more intelligible and more enjoyable. And, reciprocally, there are, as it were, parts of the soul upon which these truths may be more easily engrafted; certain accepted principles with which they are closely allied, certain feelings which they naturally awaken or by which they are welcomed, thus giving them a readier admission and a more abiding hold. All such things the future preacher must note as he goes along and contrive to remember, being

careful, at the same time, that this second point of view shall not overshadow the first, and that the brightness and charm of any conception shall never be considered as a substitute for its necessary truth and solidity.

Such, in brief, are the two aspects of divine doctrine which the student has to keep steadily in view. Without the first, his thought will be weak and faltering; without the second, it will be stiff, unattractive, offering his hearers nothing but undigested theological knowledge—the abstract definitions, the dry arguments and the bewildering distinctions of his text-book; a scholastic thesis but not a sermon.

II.

Second. This brings us to the second requisite of successful preaching: the power of presenting the subject in an effective way, or, as St. Augustine puts it after the rhetoricians of old, the gift of enlightening, of charming and of moving the hearers: *ut doceat, ut placeat, ut moveat.* But that is the very object of rhetoric itself which our aspirant is supposed to have studied; why then revert to it here?

For two reasons.

The first is that, while rhetoric in its elementary principles is accessible to all, and is doubtless not unknown to our candidate, in its perfection it is fully mastered only by the consummate orator. Of course, we speak of rhetoric, not as a collection of rules, but as the faculty of applying them, and as imparting literary power. Thus understood, it is clear that the student has still almost everything to learn. He knows, indeed, that eloquence rests on sympathy; that a man can move the will of his fellowmen only in so far as he brings their thoughts and their feelings to vibrate in unison with his own. But this in turn implies a familiar knowledge of the complex mechanism of the human soul in all its various departments. To awaken with effect its intuitions, its emotions or its memories, the speaker must possess the same unerring instinct as that which guides the trained artist when he runs his fingers over the keyboard of an instrument and elicits from it a flow of harmony. But, just as the com-

mand of the instrument has been won by the musician, however naturally gifted, only by close study and incessant exercise, so the power of speech necessarily demands, and has invariably demanded, in the most successful, unceasing thought and sustained effort.

Not only must the future preacher note, as we have said, day after day, in his theological studies, those truths or aspects of truths which are best suited to the lay mind, but he has to keep looking round in every direction, in order to gather in all that can help to give a clearer conception of these same doctrines or to impress them more deeply on his hearers. Comparisons, analogies, illustrations of all kinds and from every available source; images borrowed from history, from science, from nature, from art, all the elements of expression and beauty which he meets have to be carefully garnered in view of future use, so that when the time comes to address his fellow-men, he may be able to hide the rigid, uninviting forms of doctrine as taught in the schools, under the attractive garb of bright imagery and graceful diction.

All this is equally true of every subject of discourse. Oratory and its laws are always the same. There are not two kinds of rhetoric any more than there are two kinds of logic. Still the nature of ecclesiastical discourse involves differences and calls for special rules which have the name of Sacred Rhetoric, Sacred Oratory or Homiletics.

A course of Homiletics is part of the training of all our Seminaries. It comprises essentially two things: an explanation of the principles of Sacred Oratory, and a series of exercises in which they are sought to be applied. There are general principles which apply to sacred oratory in all its forms, and there are special rules for each particular form of discourse: the homily, the instruction, the exhortation, the panegyric, etc. Exercises are introduced in all these forms, sometimes in full, sometimes in mere outline, giving each student an occasion to develop his powers, while affording the teacher an opportunity of emphasizing the rules and principles and of showing how they should be carried out. These exercises, if done with care, are invaluable. They are an anticipated

experience of the real work. They reveal its difficulties and show how they may be overcome. They reveal the writer to himself and to those who can guide and correct him. The practice of constructing plans or outlines of sermons trains his mind to order and consecutiveness. In the careful development of single thoughts he learns to look more deeply into things, and to express them with more correctness, or delicacy, or power. It is much to be regretted that more time cannot be devoted to these exercises, as no other manner of training for the pulpit can compare with them when pursued intelligently and systematically.

III.

The last thing in which the future preacher has to fit himself for his work is delivery. Elocution or delivery comprises everything in a man that speaks to his fellow-men ; not only the voice with its endless variety of modulations, but the play and expression of the features, the look, the gesture, the general attitude of the whole body. All these, as is evident, add indefinitely to the mere utterance of the words. They emphasize, they qualify; they convey with the thought all manner of emotions,—joy, sorrow, pleasure, solemnity, love, hatred, in short every feeling that can be awakened in the soul. Perfect elocution is the fullness of language, in that it conveys to his hearers all that a man thinks and all that he feels. Whatever is not conveyed is lost. If thoughts, however striking, are only half caught or can be followed only by painful effort, they lose almost all their energy. If their beauty or delicacy is missed ; if they come forth unaccompanied by any token of the feelings they are destined to awaken ; they fall to the ground inert and powerless. The disarranged wire fails to transmit the message: there is no delivery. Here lies the difference between listening to the address of an able speaker or merely reading it. The text of his discourse may give us his thought or his argument more distinctly than we could have caught it by listening, but that bright atmosphere of feeling which surrounded the spoken

word is gone, and we remain cold, whereas his hearers were moved to the depths of their souls.

Elocution is therefore a vital element in the work of the preacher, and consequently a part of the preparation. For, like all our other natural gifts, the elocutional powers need to be cultivated. The need varies, it is true, with individuals and with races. The Italian, for example, or the Frenchman, with his vivid impressions and his emotional, demonstrative temperament, requires comparatively little training. His nature and his surroundings do almost everything for him. Individuals similarly gifted are to be found everywhere; but the great majority, even of those who possess oratorical power, require for its full development a considerable amount of elocutional discipline. Natural eloquence alone no more fits a man for speaking than natural courage for fighting. The cultivation of delivery may indeed make a man artificial and conventional, but absence of cultivation does not make him natural. When untrained persons attempt to speak in public, besides many faults *natural* to them but very unnatural and unpleasant to their cultured hearers, they assume, as a rule, the most conventional of tones, an unconscious imitation of some speaker they have heard and whose manner impressed itself on their memory. The manner of the trained speaker may begin by being artificial. Improvement in any original faculty begins by being artificial. There is generally a stiffness in beginners unpleasant to themselves and to others, as we may observe in those who are learning to sing, to play, to speak grammatically, or even to walk with grace; but it gradually wears off with practice, and the new and improved manner becomes as natural as that to which it has succeeded. The evil of elocutional exercises, if otherwise judicious, is that they stop too soon, that is, before the speaker has reached that second stage of ease and spontaneity.

Not to extend these observations too far, we will conclude by remarking that there are two things in elocution so essential that they have to be secured at any cost: distinctness of utterance and a due regard to the connection of words.

Without the former, much of a discourse is fatally lost to the hearers; without the latter, the words fail to convey their full meaning. It may be safely said that nothing helps more effectively the hearer, nothing gives more force to spoken language, than a grouping of the words in keeping with the sense, a judicious breaking up of the sentences by pauses, sometimes lengthened, sometimes almost imperceptible, a sort of intelligent punctuation in speech, appealing to the ear as the punctuation of writing appeals to the eye.

If, in addition to this, the imagination and the feelings are kept awake to the meaning of what is said, the other features of a good delivery will be sufficiently secured. Mannerism, on the contrary, a visible self-consciousness, an aiming at effect in the preacher, spoils everything. Better by far carry into the pulpit any number of uncorrected faults and imperfections than to discredit it by the exhibition of the preacher's moral weakness. The former may interfere more or less with the religious effect of the sermon: the latter is almost sure to be fatal to it.

We have considered in the preceding remarks nothing but the intellectual preparation of the preacher. It is scarce necessary to add that his moral and spiritual preparation for that special work is at least of equal importance. There is, in that regard, a vast difference between preaching a sermon and writing an article or a book. What appeals only to the intelligence stands on its own merits, and it matters little to what sort of man we are indebted for a new and valuable fact of history or science. But in a sermon which appeals to the whole soul, to the feelings and to the will as much as to the mind, it matters much who it is that preaches. The whole weight of the man is thrown in with his words, and the result is in proportion to the momentum thereby imparted to them. It is consequently the whole man that has to be fitted for the work, and every effort that lifts up the aspirant to a higher life will prove itself to have been the most effective preparation of all for the preaching of the Gospel.

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THE "AUDITOR CURIAE,"

OR EXAMINING JUDGE IN ECCLESIASTICAL CASES.

(*First Article.*)

I.

First. General notion of the office of Auditor. Is the Auditor absolutely necessary? His appointment left by Law to the Ordinary. Reasons and advantages urging the Bishop to have an Auditor who studies and reports on preliminary inquiry. If this charge is not given to a special official of the Bishop's court, it may advantageously be intrusted to Rural Deans.

Second. A few objections answered. Good common sense, though a strong factor in arranging disciplinary cases, is not always sufficient. . . . Familiarity with Canon Law—its principles and practice, desirable.

Third. Auditor's duty pointed out and defined. Judicial character of his functions. He has to search out the truth. Means to employ.

Fourth. The "Inspectio Ocularis," or "Visitatio Corporis Delicti" when practicable. Collection of evidence from witnesses, from documents, from presumptions, from the accused.

Fifth. The several means of reaching the truth, which differ from what is called in judicial language, proof. What is proof, its kinds, its value?

IN the XII. Article of the important document *Cum Magnopere* we read the following: "Complicatio processus comitti potest probo ac perito viro ecclesiastico." The official who is delegated for this "processus" is known as the *Auditor Curiae Episcopalis.*

The Auditor is a person appointed by an Ecclesiastical Magistrate and authorized by him to study the whole or part of a case, for the purpose of drawing up a report on it. The Auditor's duty consists, then, in collecting the essential points of information, in order to enable the judge to see clearly the merits of a case with the point at issue, so as to form his judgment in consequence. The Auditor's report is

not in any way a decision of the case, but it forms the basis of the judicial sentence.

Strictly speaking, the Bishop or Ecclesiastical Magistrate is not bound to name an Auditor, since the law does not make the appointment a necessity; but even apart from the material services which such a choice secures, there are reasons and advantages of a higher order which urge acceptance of the counsel given above in the instruction, *Cum Magnopere.*

We may easily imagine the state of mind and feelings of a judge who has disentangled a truth from a mass of doubt and uncertainty, and often from the misleading sophistry thrown round it by the implicated or guilty parties. How much time wasted groping in the dark, how many theories conceived, matured and abandoned, how many would-be solutions before arriving at anything tenable. And an opinion thus reached is afterwards often sustained and defended, and all forthcoming evidence is only seen in the light which strengthens and confirms it. Thus in the preliminary stages, it may happen that the judge's mind is already influenced, and in such case the chances are that his opinion regarding the guilt or innocence of the accused will prevail to the end, in spite of the best forensic arguments to the contrary.

This danger is avoided to a great extent when the judge has not personally to superintend the preliminary details of production. He has no preconceived opinion which would definitely influence his judgment of the true merits of the case. With only the data and results of careful study before him, he can weigh without bias the opposing and conflicting arguments, and preserve an independent position in the contest between the plaintiff and defendant.

The advantages, therefore, of employing an Auditor in the secret or introductory phase of the inquiry must be evident. Of course the Auditor is supposed to be perfectly conversant with the letter and the spirit of the law. And here we might well insist on a point which we touched upon some time ago in treating of the subject of Canon Law, namely, the all-importance of cultivating and fostering among our clergy

a taste for Canonical studies.[1] It is but reasonable to expect that, besides the ordinary officials of the Episcopal Court, such as the judge and his assessors, the diocesan Promotor and the Chancellor, etc., anyone of the prominent priests in a diocese would be capable of assuming the direction of a case of criminal inquiry.[2] Some one may say: "But what is the use of all this red tape? During my whole official connection with this diocese I never had occasion to summon my Episcopal Court." But what does this prove? It is not indeed desirable to see the ponderous machinery of the law set in motion without necessity, but it is essential that it should be ever ready to be brought into action at a moment's notice. Surely, the Church, in reducing all these matters to a legalized system, did not act at random and without a purpose. It is difficult to admit that in a diocese of any importance things should always be found so perfect that even in the course of years nothing turns up to call for at least a serious investigation, if not for a formal trial? . . . And when a difficulty of this kind occurs can we expect that the Bishop should collect the evidence himself? In cases where a priest's relations with his Superior happen to be strained or unpleasant, the Bishop's action might under such circumstances easily take on the appearance of revenge or even persecution. The fact is, that such a procedure is a never failing source of inextricable complications and useless enmities.

But when we hear it said that there are Superiors who avow that they never knew of a case in which even a formal investigation was needed, the passage of Sacred Writ, "qui oculos habent et non vident," occurs to us, or else we are inclined to envy the fortunate diocese where the weakness of fallen nature is unknown and the storm of human passion is never

1 See AMERICAN ECCLESIASTICAL REVIEW, 1895, April and May. Vol. XII. pp. 284-293 and 388-395.

2 Among the special powers commonly reserved to the *Vicarii Foranei*, is the "officium instituendi inquisitiones et processus informativos postea ad curiam episcopalem transmittendos." Cf. DESHAYES—*Memento Juris Ecclesiastici*, p. 237, n. 841.

felt so as to require legal interference. No doubt there are those who believe that they can always arrange matters without having recourse to judicial methods. They treat these difficult and often disagreeable things, as a father does the excesses of a wayward child whom he loves; and in the quiet seclusion of a personal interview rather than in the troubled atmosphere of a court, they try to win the erring back to submission and duty by acts of kindness, gentleness and patience. This is excellent, and very commendable, but it cannot, and we venture to say, should not in every case replace the inquiry, which would fix and determine the guilt of the accused, and so prevent all danger of undue severity against the innocent or immoderate indulgence or mistaken kindness, when the nature of the guilt demands just punishment.

Undoubtedly, in ordinary cases a prudent and experienced priest will be able to collect all the required evidence, and inform the chief pastor of the diocese of the exact condition of the accused; but even then, it is frequently necessary for a delegate to be well versed in the canonical principles and the method of procedure, so that if a legal process follows the necessary data for the trial may be at hand, to be used in regular order.

We now proceed to outline the special field of operation of the delegated judge or Auditor, as he is called; inquiring on what legal principles and on what traditional usage his action is based, The attentive reader will, we are sure, find the whole matter more interesting and more worthy of careful study, than may appear at first sight.

When an investigation is to be opened, the Diocesan Promotor, in a brief, terse statement to the appointed official, puts forward the various grounds of accusation which have to be sifted and verified. This declaration must not be confounded with the *libellus* containing the official accusation

which the same Promotor makes after the conclusion of the informative process.

As we said above, an Auditor is usually selected to perform the duties of examining judge. His work is to make a fearless and impartial investigation of the truth. He will conduct this inquiry as the instruction "Cum Magnopere,"[1] says "eo consilio ut, omni studio ac prudentiâ veritas detegatur, ac, tùm de crimine, tùm de reitate vel innocentiâ accusati causa eliquetur."

To obtain that result, he will begin, unless prudence suggests the contrary, by examining the main proof or evidence—the *corpus delicti.* That is what is known as "inspectio ocularis." Thus, murder, arson and the like, leave permanent traces which can be verified and which often supply indications of the guilty party.[2] There are crimes such as blasphemy, obscene and insulting language, which are complete in the transitory act, and leave after them no sensible effects. In these cases the "inspectio ocularis" is out of the question. The first thing to do with regard to crimes of the first class, is to prove the *corpus delicti* by actual inspection, unless this be morally impracticable, and then, the nature and reasons of this impossibility must be set forth in the minutes of the case.

Having made this inspection, the Auditor next proceeds to the collection of evidence. This he will do—(1) by taking the testimony of the various witnesses, (2) by examining the writings, documents, etc. which he has been able to secure, finally, (3) by a direct examination of the accused, which may result in an avowal.

It is through these various stages of the inquiry that we propose to accompany the Auditor, but before doing so, it is necessary to get a clear idea of what is meant by judicial proof, since that is the end and aim of the investigation, and the term to which the Auditor tends.

1 Art. XII.

2 We merely selected these examples for their classical character, others may easily be imagined.

Jurists give different definitions of proof. Some tell us in a general way that it is "rei dubiae aut controversae, per legitima argumenta facta, ostensio." Others give a more specific definition when they say that it is "actus judicialis quo judici de re aut facto dubio et controverso fit fides." And, indeed, evidence does not become proof until it be presented in the public trial, *i. e.* post litem contestam, but the examining judge must have recognized the weight of evidence and used it for his own private guidance, otherwise no indictment could ever be presented.

Proof is twofold—plena et semiplena. Usually it is for the judge to weigh and determine the value of the proofs advanced; but there are cases in which the evidence is in itself clearly convincing and apodictical.[1] For instance, the following proofs which the Auditor may meet with in the course of his investigations are looked upon as clearly demonstrative.

1. The testimony of two witnesses who rank as "omni exceptione majores."

2. Any public document or authentic written evidence of the same value.

3. A presumption *juris et de jure.*

4. The confession of the accused avowing his guilt.

5. Evidence arising from public notoriety.

There is semi-plena, *i. e.*, strong, but not demonstrative proof only, when the evidence is not weighty enough to produce conviction, but sufficiently reliable to found grave and serious presumptions: for instance,

1. The testimony of one or several witnesses not "*omni exceptione majores.*"

1 "Etiam," says Reiffenstuel, (ad tit. XIX *de Probat.* lib. II, Decret., no. 60) "ad quem modum probandum cuicumque rei argumenta in particularibus casibus adducta sufficiant, nullo certo modo definitum reperitur, neque ob infinitatem casuum diversarumque circumstantiarum definiri potest. Quanquam ejusmodi arbitrium non sit omnino liberum atque absolutum, sed regulatum, ut loquuntur doctores, debet enim regi secundùm jura, rationem et aequitatem, non autem pro merâ judicis voluntate haec vocari sufficiens probatio, illa veluti insufficiens rejici, quod utique foret absurdum et iniquissimum."

2. Private documents.

3. Manuscripts whose authenticity is not absolutely established.

4. A presumption only probable.

5. Public rumor.

No sentence of condemnation can be pronounced against a guilty party unless based upon formal proof, and this evidence must be ascertained by the Auditor in the course of his inquiry before the official is justified in introducing the case before the courts. As a general rule, the burden of proof lies with[1] the Plaintiff, unless there is a judicial presumption against the accused.[2] This principle should guide the Auditor in his preliminary inquiries, since his duty is to establish the point at issue raised by the prosecution.

II.

First. Testimony of witnesses, one of the strongest and most conclusive arguments for or against the accused. Why, in the earlier stages of Canon Law, the Auditor attached comparatively little importance to such evidence, and why it is so highly appreciated and necessary now? In the "Corpus Juris" we read: *ut lite non contesta non procedatur ad testium productionem.* The changed conditions of society account for the modification of the procedure. The evidence *ad informationem* which precedes the public trial, should, regularly, not need to be repeated; hence its importance and the necessity of making it thorough and exhaustive. Qualities required in a witness. Auditor's powers to summon witnesses . . .

1. Sciant cuncti accusatores eam se rem deferre in publicam notitiam, quae munita sit idoneis testibus, vel indiciis indubitatis et luce clarioribus expedita. Caus. II. Q. XIII, Cap. 2.

2. Santi expresses this idea very clearly when he says: "ille tenetur probare contra quem militat praesumptio juris. Ratio regulae est, quia ubi militat praesumptio juris, leges offerunt suam protectionem et tutelam, ita ut, nisi validae probationes contra praesumptionem offerantur, sustineatur ipsa praesumptio. Hinc in genere actor probare debet, quia praesumptio juris est ei contraria et favorabilis reo. Sed si intentio actoris sit fundata in jure, ac proinde, pro eo militet praesumptio, statim onus probandi transfertur in reum" (ad tit. XIX., lib. II. Decret. no. 8, p. 135).

Second. How to examine a witness. Evidence should generally be taken before the Auditor, in a place set apart for ecclesiastical trials. Author's personal recollection of an exception to this rule. Special legislation of the Congregation for cases of "Sollicitatio."

Third. The oath, its necessity, how taken.

Fourth. Care with which the judge should remark how evidence is given. How witnesses should be classified according to the weight of their testimony. Value of evidence depends greatly on sources of information. Sources chiefly: (a) Testes *de scientia;* (b) Testes *de credulitate;* (c) Testes *de auditu;* (d) Testes *de fama.* Difficulty of classification. Auditor must try to do so and report results.

One of the most efficacious means of proving the commission of a crime is from the testimony of witnesses. Formerly the Auditor did not give himself much trouble on the point, hurrying through their former examination as if it were of relatively little consequence; but now the evidence of witnesses has become so important that its careful handling is one of the Auditor's principal concerns, and one which has the greatest influence on the public trial, in case the investigations should lead thereto. The fact is, that we find in the *Corpus Juris* a title under the following rubric: "Ut lite non contestâ non procedatur ad testium productionem," from which one might reasonably infer that it is only after the judicial citation and arraignment of the accused that the depositions of witnesses are to be received. But practice has long since modified this procedure, and the document "*Cum Magnopere*" favors and sanctions this custom. It has become almost impossible to get witnesses to appear before the Ecclesiastical Courts, and if they do obey a summons once or twice, and answer the questions proposed to them by the examining judge, there is well-grounded danger of their refusing to appear again at the bar of the Episcopal Court. Hence arises the necessity of collecting their full and detailed evidence during the preliminary hearing of the matter. We see now how very important the Auditor's duty has become. Upon his work will rest the case, both for the prosecution and for the defense,

since this evidence, taken *ad informationem*, will be admitted as legal proof and allowed to replace the repetition of the depositions which it is often impossible to obtain. The nicest accuracy and most scrupulous precision should be brought into play here; which cannot be done unless the Auditor join to a ripe experience of human nature a thorough knowledge of the principles and practice of Canonical procedure; without this two-fold knowledge he exposes himself and the Court to most fatal blunders.

The Auditor has, in general, to obtain all the evidence that is considered pertinent to the case under consideration. He has, then, to search for witnesses who will be legally accepted as credible, *i. e.*, uniting well known veracity and integrity to a knowledge of the facts. It would lead us too far to give here the principles which control the law of evidence and regulate the credibility of witnesses; let it suffice for the present to note that frequently when unimpeachable testimony cannot be obtained, the evidence of those whose depositions would be of themselves useless is admissible, in as much as it may lead to a clue or indication of more reliable testimony.

By virtue of his delegation the Auditor is empowered to summon every witness from whom he expects to get any information. It is not customary in these days to employ the technical legal citation, in order to avoid unnecessary apprehensions on the part especially of lay-witnesses. He simply invites them, in a private letter, to call to see him at the Chancellor's office.[1] If this invitation is disregarded a formal summons may be resorted to. When the witness is an ecclesiastic and there is no reason to depart from the ordinary

1 Bouix, in his "General Formulary," which has been added as an Appendix to the second volume of the treatise *De judiciis*, proposes some such forms as the following: (cap. xiii, §1, p. 521) "Colendissime Domine (quae verba pro qualitate personae varientur). Salutem in Domino. Cum in quâdam causâ, quae coràm nobis in curiâ Episcopali vertitur, necessaria sit praesentia tua, ad dictam curiam de nonnullis informandam; non gravereris te à Nobis citari, ad comparendum die . . . mensis proximi . . . hora . . . in praefatâ curiâ. Et interim, incolumen te Deus servet.—Datum in Cancellariâ Episcopali . . . die . . anno . . .

course, the summons is made out in legal form and sent by registered letter.[1]

When the witness resides in another diocese he is usually approached through the local authorities, who are also commissioned to take his evidence, in case he is unwilling to appear in the place where the trial is to be held. It sometimes happens that witnesses positively refuse to appear, either through personal regard for a friend who may be involved, or simply because they dislike to take part in lawsuits. Such a refusal is, of its nature, a very serious matter, and theologians are unanimous in considering the obligation of testifying, as a grave public duty, from which equally grave reasons alone can dispense.[2] The Auditor would be within his rights in enforcing the attendance of a reluctant witness by the infliction of canonical censures, but, as a rule, such measures are not resorted to in the case of lay-witnesses. The reason of this is plain. The faithful are, as a rule, not cognizant of the canonical sanctions. Hence their application would be to them a source of inconvenience out of all proportion with the desired advantages. This is not the case with regard to priests, and hence no difficulty could be raised to the appropriateness of using canonical censures as a means of punishing contumacy and of enforcing obedience. The infliction of a censure is, however, rarely advisable. Dr. Smith in his *New Procedure*[3] says: "On general principles, he (the auditor) would seem to possess this power (of compelling witnesses, even by punishment, to testify). For, a person who is appointed to discharge certain functions has, by this very

1 Nos N— (judex delegatus a Reverendissimo N—Episcopo) requirimus, monemus et citamus . . . dominum N—ut die . . . hujus mensis, compareat personaliter coram me, juraturus et depositurus pro informandâ curiâ in causâ—Datum, etc. . . .

2 The law, however, specifies various reasons which excuse one from answering a summons. Thus, parents can never be obliged to appear as witnesses against their children, wives against their husbands, and *vice versa*. Again, when a crime is secret, and there is no stigma of infamy upon the accused, a witness may keep his knowledge to himself. When a witness, by testifying, would expose himself or his family to danger, he is not obliged to appear.

3 Op. cit., p. 117.

appointment, all that power and authority which are necessary to enable him to perform his duties properly, unless where the contrary is expressly stated. On the other hand, the infliction of censures and other punishments, upon refractory witnesses is such a grave and delicate matter, especially at the present time, that it seems safer to hold that the power in question is reserved to the Bishop, and becomes vested in the Auditor only when it is expressly delegated to him by the Bishop."

When a witness persistently refuses to appear, the only thing to do is to try to dispense with him. The *Instructio* of 1884 outlines a method to be followed in such eventualities. It tells us how an effort must be made to supply the missing testimony by a more careful examination of those present, but it desires that the failure to secure the attendance of all the witnesses should be noted in the Auditor's report.

Having referred to the summoning of the witnesses, we now proceed to point out the manner in which the examining judge is to receive their depositions. The following conditions should be carefully observed in the taking of the evidence:

Each witness should be examined separately.[1] If all those who have to give evidence were permitted to be present at each other's examination, there would be a great and almost necessary danger of undue influence. Truth would often be strained for the sake of conformity, or to secure an advantage for a friend, or to score a point against an enemy.

The evidence should be taken in a place specially set apart for the purpose; if possible, in the Bishop's house. In certain cases, however, depositions are taken on commission, and often at the residences of the witnesses: when their[2] position or dignity entitles them to such a privilege, or when

1 "Personae quae examini subjiciendae sunt, separatim audientur," art. 17.

2 "Egregiae vero personae," says PELLEGRINI (*Praxis Vicariorum*, P. iv. sect. iv. p. 325 no. 56.) quoad hoc dicantur in primis Cardinales, Episcopi, ... mulieres nobiles et honestae. Quae quidem personae

there is a sufficient reason to excuse their absence. In this way men over seventy, pregnant women, nuns, etc., are looked upon as excused. Extreme poverty is also a sufficient reason for non-attendance. The writer remembers an example of this kind in connection with a matrimonial inquiry, in which he was appointed official advocate by the Archiepiscopal Court of Paris. There was question of proving the invalidity of a certain marriage. The party pleading *pro nullitate* was in the most abject misery, and of ill reputation ; but these circumstances did not stand in the way of justice, and the case was treated upon its merits. Naturally the witnesses were of the same social conditions as the principals, squalid, filthy, miserable specimens of the lowest class of society, wholly incapable of rising to the dignity of an ecclesiastical procedure. The majority of those upon whom I had to rely for evidence bearing upon the case were either dead or scattered over the world, some in prison, some refugees from justice and in banishment, others unheard of for years, etc. Among the few witnesses who could be reached, only one or two showed any disposition to take the least interest in the case, or to put themselves to any inconvenience in furthering the process. One in particular, whose evidence was supposed to be most valuable, a wretched old woman, protested her willingness to testify, but, pointing to her ragged condition, pleaded that she had nothing decent to wear and no money to bring her to Court. In such cases an indemnity is usually furnished to these unfortunates, and would have been readily granted to the witness in question, but the old woman, besides being poor, was so enfeebled and wasted by want and misery, that she seemed incapable of any effort, and it appeared quite possible that she might die before the process could be well gotten under way. There was no time to be lost. In all haste I went to the officiality to ask for the ap-

privilegiatae possunt aliquando, non in perpetuum dicto earum privilegio renunciare et ad judicem accedere ut examinentur quando illis placuerit." This author mentions several other classes of persons as exempt, but our modern practice does not recognize these exceptions on this special point.

pointment of an Auditor to take her depositions at home. A Canon of the metropolis was designated, and, accompanied by a notary, he proceeded to the woman's lodgings. Under the most untoward circumstances the Canon and notary managed to collect what evidence was offered. After a searching and painstaking examination of fully two hours in a hovel, reeking with filth and swarming with vermin, the whole evidence turned out to be of very little practical value in the case. Yet it was our duty to go through all this for the purpose of arriving at an impartial judgment.

When the investigation is about a case of *sollicitatio*, the witnesses, if any, are not summoned to the place of the official trial. An instruction of the Holy Office, July 26th, 1890, regulates that the delegated judge should go to the parish where the witnesses reside, and hear the evidence either in the parochial house or in the sacristy, so as to facilitate a thorough inquiry, and at the same time obviate, as far as possible, all danger of useless and scandalous publicity.[1]

The judge administers the oath to all the witnesses,[2] even when the case is to be dealt with summarily.[3] In simple terms he explains the nature and gravity of the obligation under which they are to tell the whole truth, without any desire to injure or favor the accused by their answers.[4] Laymen take the oath by placing the right hand on the Book of the Gospels,—priests by putting the hand on their breasts,

1 "Non semper opportunum erit eas ad publicum Cancellariae locum convenire, praesertim si examini subjiciendae sint vel puellae, vel uxoratae, aut famulatui addictae ; tum enim consultum erit eas vel in sacrario vel allo juxta prudentem ordinarii seu judicis aestimationem caute convocare ad earum examen assumendum."—Collectanea S. C. de Prop. Fide, no. 950.

2 Cf. Cap. 17, 20, 51, tit XX *De Testibus:* lib. II. Decret. Pirhing gives the reasons (lib. II ad h. t. n. CXV, 1.) quia in judiciis maxime curendum est ut de veritate constet, ne per sententiam alicui damnum injuste inferatur; ideo ad majorem certitudinem testimonii . . . a quocumque teste exigitur juramentum."

3 *Pirhing*, l. c. CXXIII.

4 A note is taken of the fulfilment of this duty, and mention is made of it in the minutes, "Judex illum gravibus verbis moneat de obligatione veritatem dicendi, et ab eo petat juramentum tactis sacrosanctis Evangeliis."

the daily tabernacle of the God of truth. If the witness refuse to be sworn, his testimony, both in the preliminary[1] investigation and public trial, will not be considered as direct proof, but merely as presumptive evidence.[2] According to the letter of the law, the accused should be present when a witness takes the oath, otherwise the evidence tendered is of no legal value.[3] But, for reasons too lengthy and numerous to discuss at present, the Church now-a-days is satisfied with the oath taken before the Auditor at the initial inquiry.[4] Of course the administration of the oath should precede the evidence, because, as Pirhing justly observes, when a witness swears that he is about to tell the truth, he will feel himself under the influence of the obligation and refrain from false statements which he knows to be perjury; whilst, on the other hand, if he be first examined, and then takes the oath that he has spoken the truth, it may happen that he perjure himself, being unwilling to take back his statements.[5]

1 "Et quamvis . . . testis sine juramento receptus nullam probationem faciat . . . quoad condemnandum reum, facit tamen aliqualem praesumptionem ad inquirendum et informandum judicem super veritate facti."—*Pellegrini op. cit.* P. V., sec. IV, p. 319.

2 *Schmalzgrueber*, IV, p. 108, no. 89.

3 "Admonendus est semper adversarius ut ad audiendum testes veniat; quod quia hic omissum est, necesse est ut quod contra legem actum est, non habeat firmitatem." Cap. 2, "In nomine Domini," tit. xx, lib. II, Decret.

4 The following lines, taken from the excellent work *Praelectiones S. Sulpitii* (t. III, p. 98), will give a good idea of the matter: "Gravis est difficultas temporibus hodiernis, in obtinendo ut qui facta aut adjuncta utilia merito causae noverint, veniant ad Curiam, licet vocati; alii omino renuunt; alii nolunt deponere nisi sub lege secreti, ea scilicet conditione, ut reus penitus ignoret illorum nomina, nec ea legitime suspicari queat; unde impossibile est servari jura quibus praescribitur ut nomina testium communicentur praevento, imo, *ut iidem testes* stent in Curia, et juramentum praestent coram illo," etc.

5 "Ratio est, quia ante depositionem, ob juramenti religionem non praesumitur testis falsum dicere, sed postea, jussus jurare, forte ob verecundiam et metum infamiae, contrarium ei quod prius deposuerat dicere non audebit."—*Pirhing*, ad *h. t.* no. CXVII.

Skill and tact are especially required from the judge in noting the manner in which the witness testifies to the facts within his knowledge; hence the examination should be conducted orally and not by writing.[1] A gesture, a hesitation, a modification in the wording of an interrupted phrase, often help to a better understanding of the state of the question. The judge will remark whether the evidence is clear and to the point, or vague and uncertain, and he should especially insist on getting from the witness the sources of his information. This last point is so important, that we must consider its details for a moment.

"Scire est rem per causas cognoscere." The strength of the evidence will, then, be in keeping with the nature of the knowledge of the facts. This, as is well known, is derived from various sources, principally, (1) de scientia, (2) de credulitate, (3) de auditu, (4) de fama.

The witnesses who depose *de scientia* have personal acquaintance with the facts, through the ordinary channels of human knowledge—the external senses. Their evidence constitutes legal proof. The witnesses *de credulitate* ground their depositions on presumptions and indications. The value of such evidence is measured by the credibility of these presumptions. When there is question of secret crimes, such as criminal relations and the like, this is the only evidence that is usually available, and as such has to be accepted. Witnesses *de auditu* occasionally increase the presumptive or circumstantial evidence, when positive proof cannot be had; as, for example, when there be question of facts which occurred in time of war, during a pestilence, in shipwreck, etc., or again, in cases where the "testes de scientia" positively refuse to answer. The examining judge, while refusing to attach the same importance and credibility to ocular and hearsay evidence, will now be careful not to reject either of them. The *testes de fama* give expression to and afford proof

1. The only exception to this law is in favor of a reigning prince, Bishop, etc. Their exalted dignity forbids that they should be suspected of falsehood. A physical impossibility excuses oral evidence; thus a mute deposes by writing, unless the judge understands the language of signs.

of a rumor or report, but their evidence has no greater weight than the report had, or at most, gives rise to a mere surmise or presumption.

It is not always easy to determine in what category the witnesses are to be placed; for it may happen that through self-deception, too great eagerness, enthusiasm, or a feeling of their own importance, they exaggerate the nature and value of their information; and, if the judge who has them under examination is not perfectly conversant with judicial proceedings, he is in danger of being influenced by them and accepting their erroneous statements as legal evidence. Here again the Auditor's prudence and canonical science will be called into requisition. At first he will put a few direct questions in view of testing the witnesses' acquaintance with the case, then he will gradually pass to a detailed specific inquiry, yet avoiding everything savoring of trickery or captiousness, especially guarding against such personal questions and allusions as merely tend to embarrass and discredit the witness. Pelligrini, who is a standard authority in matters of procedure, advises a division of the direct examination according to the ten categories of Aristotle: Substantia, Quantitas, Qualitas, Relatio, Actio, Passio, Quando, Ubi, Positio, Habitus. It is certain that in viewing a fact from these various standpoints, the likelihood of discovering the truth is greatly increased in spite of the ignorance, timidity, prejudice or bad faith of a witness. The origin and extent of his acquaintance with the case will thus be clearly brought out.

During the investigation many things are to be remarked of which a note should appear on the minutes of the inquiry. Are the various depositions found to agree? Does a witness contradict himself or rebut the testimony of another? Is he mistaken in his assertions all through his examination? Did he give his evidence freely or reluctantly, with diffidence or with assurance? All these details are of material value in strengthening or in diminishing the worth of the testimony, and since they may have an important bearing on the public judgment, the Auditor should not reserve all this knowledge

for himself, but should place it at the disposal of the tribunal, so that the entire evidence appearing in its true light may command its proper value and importance.

In order to avoid all danger of collusion, or even as a maker of prudence, it will be often advisable to bind the witnesses, even by oath, to keep secret the proceedings of the examination.[1] The XVIII. Art. of the *Instructio*, refers to this: "Testes . . . audinatur praestito juramento de veritate dicendâ, et si res postulet, etiam de secreto servando. Itaque, antequam testificentur, cùm de veritate, tùm de secreto, jurent."

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A RECENT WORK ON FAITH AND SCIENCE.

FAITH AND SCIENCE; OR, HOW REVELATION AGREES WITH REASON AND ASSISTS IT. BY HENRY F. BROWNSON. DETROIT: H. F. BROWNSON. 1895. PP. 220.

I.

HE is not necessarily a pessimist who pronounces this a shallow age. The intellectual life of our day is reflected in the prevailing literature, and that literature, whatever else it be—pleasant, bright, cheery, translucent, replete with wide and varied knowledge,—is certainly not profound. Truest is this of the literature that floats about in our English speech. There is little if any philosophy deserving the name given to the world in our mother tongue, and those subjects even which of their nature would seem to demand a philosophic treatment are presented mainly from the histori-

1. Mgr. Messmer, (*Canonical Procedure* p. 116) says: "This we suppose will generally be the case—with women, always, by the very nature of the inquisitorial procedure; it certainly will be advisable in all cases."

cal and empirical standpoint. On the subject, for instance, discussed in the work before us, quite a large number of books have been published during the past few decades. The main thesis in them all is that there is and can be no conflict between true faith and true science, between revelation and reason; and the line of their argument is based both on the *a priori* principle—a principle whose incessant repetition gives it somewhat of the platitude ring—that revelation and reason, having the same source, cannot be mutually opposed; and on a comparison of the beginning of Genesis with the established data of the physical sciences—a comparison which sometimes is made to prove too much by exhibiting the human author of the first chapter of the Bible as anticipating the systems of modern geology. The French and German languages are rich in works of this kind, and much of the wealth contained in these works has percolated into the kindred literature of our own language. Though we welcome works of this nature as desirable additions to our apologetical literature, yet we hail with genuine delight a book such as the one before us from the graceful yet more searching pen of Mr. Henry Brownson. The English reading world is already deeply indebted to Mr. Brownson for that treasure-house of many-sided wisdom, the complete works of Orestes A. Brownson. The same hand has given us the excellent translations of Balmes' Fundamental Philosophy, and of Tarducci's Lives of Columbus, and of John and Sebastian Cabot, to say nothing of the special works of Dr. Brownson, such as The American Republic, etc., which have reached a larger circle of readers by reason of the fact that Mr. Henry Brownson has published them apart from the complete edition of his father's writings. He now increases the indebtedness by the present solid contribution to our philosophical literature. We can hardly call it an original work. Mr. Brownson is so thoroughly familiar with the thought and the writings of his illustrious father that it would be doubtless practically impossible for him to divest himself of that which must have become all interwoven with the tissue of his mental life. As we read the pages of his present book we have to make an

effort to persuade ourselves that we are not following the articles of Brownson's *Quarterly*. The thought, the style so uniquely Brownsonian, the peculiar, somewhat lofty, use of the definite article in qualifying well-known classes, etc., all that marked mental coloring that comes to one only when reading Brownson, is reflected from these pages, and we determinedly take from our shelves the second volume of *Brownsoniana* to make sure that we are not re-reading the essays of the great reviewer. We do not know how to give the book a higher and a truer measure of praise than to say that it would be worthy to have Orestes A. Brownson for its father, and we would urge every one that has love or taste for solid thought, that wishes to invigorate his mind, to deepen his insight into fundamental truth, to enrich his consciousness with the wealth of the greatest thinkers of the ages, to fertilize the soil of his reason that his faith may increase and strengthen and produce the nutriment of genuine piety which grows only from faith naturally and supernaturally robust,—in a word, every one that would be edified mentally, morally, spiritually, to get this book and read, re-read and study it thoroughly. Never, perhaps, more than to-day has there been need to spread among our young men and women the vigorous, manly thought of Brownson. The mass of heterogeneous ideas and images that is so constantly and ubiquitously drifting into their minds from the current books and magazines and newspapers, is calculated to weaken or carry away the solid principles of reason on which alone faith securely rests, unless these principles be wedged in and firmly fastened in their minds by those definite, clearly-wrought convictions which works like the present tend to fashion. Apropos of this thought, Mr. Brownson has a paragraph which, notwithstanding its length, it may not be out of place to transcribe: "We see in our colleges," he says, "able, learned and pious professors who devote their lives to teaching for the love of God, and the good of souls, and our young men, the pride of the land, on leaving college, falling into contemporary rationalism and infidelity. While they remain at college under the care of these learned and revered profes-

sors, surrounded by all possible helps and appliances for the preservation of faith and the cultivation of pious affections, there seems to be little danger; but when they come out, just at the period when the passions begin to unfold, and go forth into the world without any of the religious stimulants of the college, a large proportion of them wilt as the plant that has grown up in the shade wilts when exposed to the burning rays of a summer sun.

A serious defect in the education given is that too great a burden is imposed on the feeble faith of our age, and the reason of the pupil is not sufficiently pressed into its service; or, in other words, the professors fail to show the relation between the great universal principles which underlie all the dogmas of faith and the universal principles of reason, of all science, of all knowledge, and of all human belief. The philosophy they teach is not an adequate exponent of human reason, and, therefore, does not harmonize it throughout with the principles of faith, and the harmony asserted is rather asserted than shown. The physical sciences taught are oftener theories, hypotheses, than sciences, and, when not antagonistic to revelation, are nowhere shown to be in dialectic harmony with it. So, in fact, the graduate goes forth into the world loving his religion, it may be, and determined to hold it fast, but with no reason for it but an external authority. *The moment he finds it questioned, he has no resource but to repeat the teachings of the very authority that is questioned and he is called upon to vindicate.*[1] His mind is distracted by an unpleasant dualism that bisects it, and he is unable to use the same universal principles in defending supernatural truth that he does in defending the truths of the natural or rational order. He may have been told, but he has never been made to see, that the natural and the supernatural reciprocally demand each the other, and are in reality but two parts of one dialectic whole. Christianity is teleological and does but complete, perfect, what is initial, inchoate, in nature.

"The religious education stops short with doctrines and

1 Italics ours.

does not show the pupil by logical analysis that each doctrine of revelation, each proposition of faith, if you will, rests on a universal principle always and everywhere believed, and which cannot be denied without denying the reason common to all men, nor doubted without denying that doubt is doubt. It is this fact that is either not brought out at all, or not brought out with sufficient prominence by our colleges and universities. In former times this was hardly necessary. Doubt and denial were not then carried so far, a less inadequate philosophy was taught in our universities, and intellectual as well as moral and spiritual culture was far higher, not only in the educated classes, but in the community generally. To meet the new want the professor may need to be trained in a department of thought which he has not hitherto been required to master, a new branch of science which I may call the Philosophy of Religion." (Pp. 25–27.)

We may be pardoned this lengthy quotation on the ground that it shows us: first, what it is worse than folly for us to deny or to try to elude by the sneer implied in the epithet "pessimistic"—that much of our higher education lacks manly vigor, that by a consequence, more or less direct, many of our young men are lost to the faith: secondly, it illustrates what we have alluded to above, how the later Brownson's matter is colored by the thought and style of the elder; thirdly, it brings us to the consideration of some opinions in which we differ from our author.

II.

Dr. Brownson complains somewhere in his works that, "Nobody till instructed by experience can conceive how hard it is to get the mind of a thoroughbred schoolman, accustomed to the subtile distinctions, sub-distinctions and abstractions of the schools, out of its grooves, and to induce him (said schoolman) to look at things in the simple light of common sense:" that he had "to labor for hours with a professor of philosophy to a post-graduate class in a renowned college to get him to admit the truism 'Nothing is

nothing,' and did not succeed even at last." The obtuse schoolman "seemed very much inclined to maintain that nothing is something, and was disposed to refine on the word, and could not see that the assertion, 'nothing is nothing,' is the English equivalent of the Latin assertion, 'nihil est nihil.'" At another time Dr. Brownson "spent half a day in the vain effort to prove that the ideal formula *Ens creat existentias* is not pantheistic," and unfortunately, too, still another half a day on some other futile attempt at persuading the obfuscated schoolman that Dr. Brownson's system was not the condemned ontologism. (Vol. II, p. 536). Now, no one acquinted with Dr. Brownson's works and the English literature of philosophy will deny that he has few peers, if he have one, amongst philosophers who have used our mother tongue as the vehicle of their thought. On the other hand, however, no one familiar at the same time with the Brownsonian and with scholastic philosophy, can fail to miss the perfecting discipline the latter would have given to the great synthetic mind that wrought out the former. If Dr. Brownson's apriorism, subjectivism, the impatient sweep of his synthetic tendency, had been tempered, checked, objectivized, if we may so speak, by the patient study of the scholastic philosophy, he would not have been so shocked at the thoroughly philosophical schoolman who refused to accept the unqualified statement that "nothing is nothing" even when Latinized into "nihil est nihil," or that "*ens creat existentias*" does not need the subtle distinctions of scholasticism to save it from pantheism. Elsewhere[1] Dr. Brownson had strongly protested against the making of "common sense" the light in which philosophical subjects are to be viewed, and, consistently with his own principles, he should not have urged the open-eyed schoolman to view so transcendental a proposition as "nothing is nothing"—a judgment the unqualified admission of which involves most weighty consequences in ontology, psychology, theology, and, therefore, too, in morals, and all that these sciences imply,—to view, I say, this abstruse metaphysical statement

1 Vol. I, pp. 1–19.

in the *light of common sense.* Dr. Brownson tells us that his father "had studied St. Thomas perhaps with as much care and diligence as Fr. Kleutgen or Mein Herr Stöckl." (P. 68). We take it on faith that Mr. Brownson has been able to estimate the comparative amount of care and diligence these three eminent philosophers gave to the writings of St. Thomas, but the only gauge at the command of his readers is their respective works, and we do not hesitate to assert that the two volumes of *Die Philosophie der Vorzeit* show vastly more familiarity with the letter and spirit of St. Thomas' work than can be gleaned from the twenty volumes of Dr. Brownson's sen. writings. This is no exaggeration and may be readily verified by comparison.

We think we esteem as highly as any one the eminent philosophical gifts of Dr. Brownson, but we do not believe he *could study St. Thomas.* The very greatness of his mind was the principal obstacle to such study. His intellect was first and last synthetic. His genius was impatient. He saw too much at a glance to examine detail, and so we believe that those subjective currents that flow from almost untraceable sources in every man's mental life were often not noted and accounted for by him in his own mind, and that he projected them unconsciously into the genesis of his views and theories. Moreover, he took up the study of St. Thomas too late in life, at a time when his philosophical opinions and convictions had been already formed and settled. His theory, too, of how to approach the study of St. Thomas shows that he was unlikely to profit by the mental discipline of such study. "It has often struck us," he says, "that to understand or to grasp the meaning of St. Thomas, or of any other great mediæval philosopher, it is necessary to arrive at it in some sense *aliunde*, by original and independent investigation for one's self; or that in order to understand his solution of a problem, we must first solve it for ourselves." (Vol. II., p. 487.) May it not have been that Dr. Brownson had first made up his mind that the primary principle of thought and things, of the logical and of the ontological order, is *ens creat existentias* and that, therefore, he found a warrant for it in his after study of St. Thomas? The ontologists and Rosmini

found their systems together with the corresponding arguments in the writings of the Angelic Doctor, yet both have been condemned by the Holy See.

Mr. Brownson's mind, if we may judge of it by its present work, is either by nature or by cultivation like that of his father, chiefly synthetic, and enriched more by wide reading and broad speculation than by critical philosophical analysis. His large familiarity with philosophy, apparently of a Platonic and ontologistic character, has somewhat dimmed his appreciation of the keener dissection of psychological phenomena. His philosophy is that of Dr. Brownson, and shares its subjectivism. One realizes this from such expressions as these: "Abstractions are nullities," "abstractions have no objective existence," "the ideal, that which precedes experience, is creative and constitutive of the intellect," God affirms Himself in immediate intuition," etc. These, of course, may pass as figurative expressions, but they indicate a certain looseness of thought and are too vague to be given a place in philosophical science.

Mr. Brownson shows considerable acquaintance with the history of philosophy, but he fails to grasp the true meaning of the scholastic ontology and psychology. He has examined a dozen or more text-books of philosophy used in our colleges, but, though he finds special merits in them all, there is not one that he could unreservedly recommend—not one that is not more or less objectionable. (P. 29).

We are at a loss to know what text-books these could have been. Probably they were those that were written or compiled in the beginning of the revival of the scholastic philosophy, shortly before or about the middle of the present century. That philosophy has, in the meantime, especially since the publication of the great Encyclical of Leo XIII. *Æterni Patris*, reached a higher stage of development than it had in the forties and fifties. We can nowhere find in its text-books since that date, and, indeed, in but very few of its more generally used text-books before that date, that "some of them adopted the ontological principle and method, and some of them the psychological principle and method, and

others partly one and the other." (P.28.) Most of the text-books on scholastic philosophy with which many years of study of its literature has made us familiar, teach *ex professo* that the only true philosophical method is that which alone is in harmony with the composite nature of man—viz.: the analytico-synthetic method, or psychologico-rational—a method in which the mind advances analytically from the sensible order to the intelligible, and synthetically from one intelligible idea or judgment to another in the same order. We begin to suspect the carefulness of our author's examination when we come across paragraphs like the following: "The question raised by Hume [regarding the principle of causality] presents a like question with regard to the first or necessary principles of all science. . . . How do we come by them? Where in St. Thomas, and the whole range of Thomist philosophy, or any other philosophy taught in Catholic schools, are we to look for an answer?" We would answer at once: in the logic, ontology, and psychology of any of the ordinary text-books of philosophy. To mention just a few, and those the most generally known, in Pesch, Lahousse, Zigliara, Van der Aa, Stöckl, Frick, Gonzalez, Schiffini, Kleutgen, Lepidi, Urraburù, etc., etc. Rather would we ask where is the philosophy now taught in our Catholic schools in which the meaning and origin of first principles are not explained?

Our suspicion is just a little confirmed when we read the following: "What is real is either God or creature. . . . . There is no middle term possible. This is plain common sense and excludes the intermediary world of ideas or abstractions which seems to have been asserted by Aristotle and revelled in by some *of the scholastics and so effectually demolished (?) by Reid . . . The peripatetics seem to have imagined a mundus logicus distinct from the mundus physicus and intermediary between God and the creature and between real and unreal, which you can range neither in the category of being nor in that of existence.*" By the *intermediary world of ideas* "asserted by Aristotle, and revelled in by some (most?) of the scholastics—the intermediary *mundus logicus*,"

—we take it is here meant the *phantasma*, the *species intelligibilis* and the *species expressa* or complete *idea*. If Reid effectually demolished this world, it seems to have been pretty solidly put together again by neo-scholasticism. It surely still moves on in the philosophy taught in our Catholic schools, and there does not seem to be any fear in the world-builders of their little creation going to pieces. They might, indeed, well dread such a catastrophe if the sole entity of their logical world consisted in a something *between God and creature*, something *neither in the category of being nor in that of existence.* Surely any one even superficially acquainted with scholastic—peripatetic, if you will—psychology knows that they placed these *intermediaries* in the category of *accidents* as *real modifications*, *physical and psychical* of the *faculties;* the phantasma state, quality—act—of the organic faculty, imagination; the *species intelligibilis*, and the *species expressa*, spiritual states, *accidents* of the *intellect* . . . Are not such *accidents* in the category of *Being* (being in the scholastic not the Brownsonian sense) as well as in the category of *existence* (both in the Brownsonian and in the scholastic sense)?

On the page preceding our last citation, we find this: "The peripatetic categories are the forms of logic; but logic itself, what is that? *Is it real or unreal? St. Thomas is the only one of the scholastics who probably, if the question had been asked him, would have given it a rational answer.* (P. 182).

Now if there is one question in the scholastic logic more fully discussed than another, it is precisely this on the *nature of logic* as a mental science or art. We would refer Mr. Brownson to the first volume of Silvester Maurus, Quaestiones Philosophicae, to the first volume of Joannes a St. Thoma "Cursus Philosophicus," to Pesch's Institutiones Logicales (vol. II), &c. By each of these authors the nature of logical science is very thoroughly investigated.

Mr. Brownson remarks in another place (p. 29) that "Our professors nearly all profess to follow St. Thomas, but the difficulty is that they are unable to agree among themselves as to what is the philosophy St. Thomas actually taught."

We cannot help suspecting that Mr. Brownson is here writing according to a favorite opinion of his illustrious father rather than from direct acquaintance with the teaching of our professors. It is true that there is some disagreement amongst the latter regarding the mind of St. Thomas on some special questions. But the disagreement is much exaggerated by those who do not view the Thomistic philosophy taught in our schools *as a whole*. Outside the famous question in theology regarding the relation of man's free will to God's foreknowledge and *concursus*, the points of disagreement are comparatively few and count for little when balanced with the general concord.

III.

But what matter whether Mr. Brownson be thoroughly versed in or quite in touch with scholastic philosophy, provided his own system be true? There are more things in heaven and on earth than are dreamt of in our philosophy, and a share in these other things our author's philosophy may enjoy. Let us see.

Mr. Brownson bewails, as we have seen above, the lack of a universal principle in our philosophical and religious education, in which the objective and subjective, the natural and supernatural, may be viewed as the parts of one dialectic whole, the lack of which principle is so disastrous in its intellectual and moral consequences to our youth. To obviate these consequences "it becomes necessary to revise the generally received philosophy, correct its methods and principles, and supply its defects, so as to harmonize it with common sense and tradition and establish the identity of the knowable and the real—that is, to show that the order of science follows the order of being, and in their principles they are identical, whether the science be of the natural or of the supernatural." (p. 27.)

We presume the "generally received philosophy" here alluded to is that which is now, with little variation, taught in Catholic institutions of learning, as, outside of these, there

is no prevailing philosophy. We have been under the impression that Leo XIII had strongly insisted on the scholastic philosophy *ad mentem D. Thomae* being explained in these institutions, precisely because it claims to be and because he considers it to be *correct in its methods and principles* and in very close *harmony with tradition and common sense;* and moreover, we did suppose Leo XIII, for several sufficient reasons, a good judge of the merits of various systems of philosophy and quite able to decide which of them is best for Catholic teachers to follow.

But waiving all this, what does our author propose introducing, in order to *correct* the *methods and principles* and *supply* the *defects* of the old philosophy? What principle is that in which the real and the logical, the natural and the supernatural, are to receive their ultimate explanation and to stand forth in unbroken unity? The answer to the latter query answers substantially the former.

The principle is the Giobertian formula, *Ens creat existentias*—Being creates existences. Can this principle do what Mr. Brownson claims for it? To answer this question would carry us far beyond the limits allowed us here. We hope to recur to it on a future occasion.

In calling attention to some points wherein we do not agree with the author, we have no intention of finding fault with his book as a whole. It is true we regard his basal principle as false, inasmuch as it claims that the mind has an intuition of *Being creating existences*, but we believe that those of his readers who are informed in philosophy will see and discount the error, whilst those not thus informed will pass it by unnoticed or as beyond their reach. Both classes of readers will profit by the other excellences of the book. In the fairly extensive literature of its subject there is no other work like it—none that approaches it in breadth and depth and richness of thought, and in manly robustness of faith. Of this latter quality, let his closing page serve as illustration: "These investigations and discussions," he concludes, "have carried us far into the secret nature of things, of God, the human soul, human nature, of the uni-

verse, and the relation of man to the universe, and of man and the universe to God. Even the unbeliever, born in Christian lands and brought up in Christian schools, has a stronger and better developed reason than had the unbeliever under paganism, and an Augustus Comte is much in advance of old Epicurus or any of the herd from his sty. Eliminate from intellectual and moral science all that reason owes to its efforts to understand the mysteries in their relation with one another and with our natural powers, and our actual science would be reduced to the dimensions of that of the child or the savage. The difference between the child and the full-grown man, or between the savage, the North American Indian and the New Zealander, and the Italian, Frenchman, Englishman, German, or citizen of the United States, shows what reason owes to faith in the mysteries. It is easy, then, to understand the indirect aid rendered to reason, even in the order of the intelligible, and to show to those who regard faith as antagonistical to reason that they are not well read up in the facts of the case, and that the vision of the true believer extends over a wider horizon and is clearer and distincter than that of the infidel or rationalist." (p. 214).

Mr. Brownson declares his intention to treat hereafter, in detail, of all the dogmas and mysteries of faith. We shall look forward with interest for the promised volume, eager to see what light his primary principle sheds on the realm of faith.

F. P. SIEGFRIED.

Overbrook, Pa.

ANALECTA.

ALLOCUTIO

SS. D. N. LEONIS XIII.

Occasione Creationis Cardinalium in Consistorio

DIE XXIX NOV. AN. MDCCCXCV.

VENERABILES FRATRES.

Europa omnis, suspensis expectatione ac sollicitudine animis ad propiorem Orientis plagam contuetur, intestinis offensionibus et luctuosis fessam casibus. Acerbum revera dolendumque spectaculum, infecta sanguine oppida, civitates : ferro flammisque ingentes pervastati tractus.—Dum viri principes, quae eorum summa laus est, collatis invicem consiliis, modum cladibus et securam incolumitatem inoxiis laborant exposcere, Nos quidem nequaquam omittimus, quantum est in Nobis, pro eadem causa nobilissima iustissimaque contendere. Videlicet ante hos ipsos novissimos casus, niti pro gente Armenia animo libentissimo studuimus, imploratque excelsi Principis auctoritate, concordiam, mansuetudinem, aequitatem suasimus. Quae quidem consilia Nostra haud sane visa displicere. Coepta persequi, propositum est : nihil enim tam cupimus, quam ut in maximi imperii finibus sua cuique incolumitas, suaque iura omnia salva, ut oportet et sancta sint. Interea Armenorum afflictis fortunis tempestivum solatium a Nobis ne deesset, opem ferre egenis maturavimus, quos maxime calamitas perculisset.

Nostra autem erga Armenos studia, testimonium et fructus amplissimae caritatis sunt, qua prosequimur gentes ex Oriente universas, quibuscum, ut probe nostis, adiumenta salutis sempiternae, quaecumque in potestate sunt Ecclesiae catholicae, communicare quidem et volumus et conamur. Idcirco, qui Nobiscum de fide discrepant, revocare ad concordiam ; qui conveniunt, devincere Nobiscum coniunctius, itemque iuvare omni ope atque ornare ingressi sumus.

Hac voluntate consilioque litteras Apostolicas nuperrime dedimus, ex quibus facile perspiciatur, quae mens Nobis erga Coptos, qui

animus. Nimirum cum eorum pietatem et rei catholicae per Aegyptum explorata incrementa haberemus, instaurandam Hierarchiam coptico ritu, dignitatemque pro Coptis patriarchalem Sedi Alexandrinae, quam Marcus evangelista nobilitavit auctor idemque pontifex, restituendam curavimus.

Amplissimum ordinem vestrum, venerabiles fratres, suppleturis, adlegere visum est ex Italia atque Imperio Austriaco, ex Gallia Hispaniaque viros egregios, quos Cardinalatus honore hodierna die augeremus. In dignitate episcopali sunt omnes; iidemque gravitate et integritate morum, doctrinae laude, rerum usu, muneribus sapienter gestis, de re christiana, de Sede Apostolica optime meriti. Hi autem sunt Adolfus Lvdovicus Albertus Perraud, Episcopus Augustodunensis, quem S. R. E. Cardinalem creavimus et in pectore reservavimus anno millesimo octingentesimo nonagesimo tertio, die decimosexto Januarii, in Consistorio:

Silvester Sembratowicz, Archiepiscopus Leopoliensis Ruthenorum:

Franciscus Satolli, Archiepiscopus Tit. Naupactensis, Legatus Apostolicus ad Foederatas Americae Septentrionalis Civitates:

Ioannes Haller, Archiepiscopus Salisburgensis:

Antonius Maria Cascajares y Azara, Archiepiscopus Vallisoletanus:

Hieronymus Maria Gotti, Archiepiscopus Tit. Petrensis, Internuntii Apostolici munere in Brasilia functus:

Ioannes Petrus Boyer, Archiepiscopus Bituricensis:

Achilles Manara, Episcopus Anconitanus et Humanus:

Salvator Casafias y Pagès, Episcopus Urgellensis.

Quid Vobis videtur?

Itaque auctoritate omnipotentis Dei, Sanctorum Apostolorum Petri et Pauli et Nostra publicamus S. R. E. Presbyterum Cardinalem,

Adolfum Lvdovicum Albertum Perraud,

Insuper creamus et publicamus S. R. E. Presbyteros Cardinales,

Silvestrum Sembratowicz,

Franciscum Satolli,

Ioannem Haller,

Antonium Mariam Cascajares y Azara,

Hieronymum Mariam Gotti,

Ioannem Petrum Boyer,

Achillem Manara,

Salvatorem Casanas y Pagès.

Cum dispensationibus, derogationibus et clausulis necessariis et opportunis. In Nomine Patris ✠ et Filii ✠ et Spiritus ✠ Sancti. Amen.

EX S. CONGREGATIONE RITUUM.

CONFIRMATIO CULTUS AB IMMEMORABILI TEMPORE PRAESTITI SERVO DEI THADDAEO MACHAR EPISCOPO CORCAGIENSI BEATO NUNCUPATO.

Ex nobilissima progenie medio circiter saecula decimoquinto in Hibernia ortus est Thaddaeus Machar, qui puerilem ac provectiorem aetatem litterarum pietatisque studio excoluit, multasque ab invidis hominibus persecutiones forti animo tulit; donec ab Innocentio VIII, ad regimen et administrationem vacantium dioecesium invicem unitarum Corcagiensis et Clovensis anno millesimo quadringentesimo nonagesimo evectus fuit. Ab inimicis libertatis Ecclesiae, rapinam bonorum passus, prohibitus quoque fuit quominus ad suum gregem pervigil Pastor accederet. Quare Romam petiit, atque ad Pontificem Christi Vicarium, Petrique successorem, uti ad Supremum universi christiani gregis Custodem ac Vindicem, causam Ecclesiae suae detulit. Romanus Pontifex virum dignitate, doctrina ac virtute eximium, benignissime excepit, eique pro suo iure petenti Litteras dedit, quibus adversus iniquos bonorum possessores iniuriam repelleret et se suamque Ecclesiam vindicaret. Exulis ac peregrini forma assumpta, Christi pro nobis passi vestigia sequens, dum Roma profectus ad patriam remearet, Eporediae, quae olim Patritium Hibernorum Apostolum transeuntem viderat, constituit; ibique, ut pauper, humilis cunctisque ignotus, in publicum peregrinorum Hospitium receptus est. Verum longo itinere fessus gravique morbo correptus ante auroram diei 24 Octobris anno 1492 pientissime animam Deo reddidit atque extemplo, uti ferunt, mira lux lectum in quo eius exuviae iacebant circumfudit. Quare Episcopus Eporediensis Nicolaus Garigliatti, ad peregrinorum hospitium pergens Thaddaeum, vultu signis aliisque documentis in eius sarcinula repertis, statim recognovit. Insimul, coacto clero, sacras exquvias ea qua decebat veste ornatas solemni pompa ad Cathedralem Ecclesiam extulit, ibique, religioso funere rite absoluto, in ipsa urna quae sub altaris

principis mensa extabat, quaeque S. Eusebii reliquias custodiebat, addito titulo inscripto : "*Beati Thaddaei Episcopi*" sacrum corpus condidit, universo populo Beatum ipsum acclamante. Hisce auspicatissimis publici et ecclesiastici cultus initiis mox accessit fama sanctitatis vitae, virtutum miraculorumque magis magisque in dies clara, quae ab obitu Servi Dei ad haec usque tempora perdurans firmissimum robur ac incrementum eidem cultui addidit. Quum tamen hic cultus Servo Dei Thaddaeo Machar ab eius obitu indesinenter exhibitus, nondum ab Apostolica Sede recognitus atque approbatus fuisset, Revmus hodiernus Episcopus Eporediensis Processum hac de re instituit, ac favorabilem sententiam protulit. Quapropter Rmus D. Michaël Antonini huius Causae Postulator, nomine etiam Rmorum Antistitum Eporediensis et Corcagiensis necnon Rmi Capituli ac Cleri utriusque dioeceseos, eiusdem sententiae confirmationem a Sancta Sede humillime expetivit. Hinc ab Emo et Rmo Dno Cardinali Vincentio, Causae Ponente, in Ordinariis Sacrae Rituum Congregationis Comitiis, subsignata die ad Vaticanum habitis, sequens Dubium discutiendum propositum fuit, nimirum : "*An sententia praedicti Rmi Episcopi Eporediensis super casu excepto a Decretis fel. rec. Urbani Papae VIII, sit confirmanda in casu, et ad effectum, de quo agitur ?*" Atque Emi et Rmi Patres Sacris tuendis Ritibus praepositi, omnibus accurate perpensis, et audito voce et scripto R. P. D. Augustino Caprara, S. Fidei Promotore, rescribendum censuerunt : *Affirmative*, seu *sententiam esse confirmandam*. Die 13 Augusti 1895.

Facta postmodum de iis per subscriptum S. Rituum Congregationis Secretarium SSmo Domino Nostro Leoni Papae XIII relatione, Sanctitas Sua Rescriptum Sacrae ipsius Congregationis ratum habuit et confirmavit die 26 iisdem mense et anno.

LUCIDUS MA. *Card.* PAROCCHI.

L. ✠ S. ALOISIUS TRIPEPI,
S. R. C. Secretarius.

QUAESITA CIRCA JURA ET PRIVILEGIA EPISCOPORUM.

Marianus Casanova Archiepiscopus S. Iacobi de Chile Sacrae Rituum Congregationi humiliter exposuit, per Decretum ab Ipsa editum die 16 Martii 1861, plures usus ritualibus Ecclesiae legibus adversos et praetextu longaevae consuetudinis retentos, e sua Arch-

idioecesi ac praesertim ab Ecclesia Metropolitana fuisse sublatos. Quum tamen ad Rmum Capitulum Metropolitanum unus Archiepiscopus et duo Episcopi titulares pertineant, aliquando dubia exoriuntur circa eorum iura ac privilegia. Hinc idem obsequentissimus Archiepiscopus ab eadem Sacra Rituum Congregatione sequentium Dubiorum solutionem efflagitavit ; nimirum :

I. An crux Archiepiscopalis possit esse duplici hasta transversali ac parallela cum alia verticali composita ?

II. An Archiepiscopi uti possint chirothecis quum ad Ecclesiam accedunt vel ab ea recedunt ante et post Missam Pontificalem ?

III. Utrum Archiepiscopus Missam celebraturus supra planetam gestare queat crucem pectoralem ?

IV. An in aliena Dioecesi Episcopi suffraganei et titulares mozzetta uti possint ?

V. Et adhibere Cappam Pontificalem ?

VI. An iidem pariter in aliena Dioecesi baculum pastoralem deferre valeant ?

VII. Atque solemniter celebrantes sedere in sede Archiepiscopi vel Episcopi propria seu in throno, cum sola ipsius loci Ordinarii licentia ?

VIII. Ac tandem adhibere biretum doctorale cum quatuor apicibus, quod sit coloris violacei, cum flosculo et funiculis rubri coloris ?

IX. Canonici, etsi dignitate episcopali insigniti sint, debent ne associare Archiepiscopum cappa magna indutum ad Metropolitanam Ecclesiam accedentem, sive ut Missam Pontificalem celebret, sive ut Missae ab alio celebrandae assistat ?

Et Sacra eadem Congregatio, referente subscripto Secretario, exquisito voto alterius ex Apostolicarum Caeremoniarum Magistris, omnibusque rite perpensis, rescribendum censuit :

Ad I Dilata.

Ad II et III Negative iuxta Caerem. Episcoporum et Decreta.

Ad IV Negative iuxta Decreta, praesertim in Liburnen. 23 Septembris 1848 ad 2^{um}.

Ad V detur Decretum in *Veliterna* 6 Septembris 1698.

Ad VI Affirmative ex permissione Archiepiscopi vel Episcopi Ordinarii loci, et quando tenuerint ordinationes, consecrationes aliasque functiones, in quibus iuxta regulas libri pontificalis baculo pastorali uti debent et necesse est, iuxta Caerem. Episcoporum lib. 1, cap. 17, et Decret. *Bracharen.* 1 Septembris 1607.

Ad VII Dilata.

Ad VIII Negative, quoad biretum formae doctoralis, iuxta De-

cretum in *Venusina* 7 Decembris 1844. Affirmative quoad biretum formae ordinariae ac coloris violacei cum flosculo et funiculis eiusdem coloris, iuxta privilegium a Sanctissimo Domino Nostro Leone Papa XIII indistincte omnibus Episcopis concessum.

Ad IX Affirmative et servetur Decretum *Gnesnen. Posnanien.* 20 Martii 1895.

Atque ita rescripsit. Die 6 Septembris 1895.

L. M. *Card.* PAROCCHI.

L. ✠ S. ALOISIUS TRIPEPI, *Secret.*

E S. R. U. INQUISITIONE.

Clausulae quaedam in Dispensationibus matrimonialibus abhinc tollendae.

1. *Omittantur* abhinc sequentes clausulae: (*a*) "Si veniam a te petierit humiliter." (*b*) "Recepto prius ab eo juramento, quod non sub spe facilius habendi dispensationem hujusmodi incestum vel adulterium hujusmodi commiserint, quodque talia nunquam deinceps committant neque committentibus praestabunt auxilium vel favorem." (*c*) "Peractis ab iis duabus sacramentalibus confessionibus."

2. In iisdem litteris *tollantur* sequentia verba: "Volumus quod si tu aliquid muneris vel praemii exigere aut oblatum recipere praesumpseris, absolutio aut dispensatio nullius sit roboris aut momenti;" et *dicatur:* "Vetito omnino ne aliquid muneris aut praemii exigere aut oblatum recipere praesumpseris."

3. *Tollatur* clausula: "Dummodo in praefata separatione permanserint," et *dicatur* ejus vice: "Remoto, quatenus adsit, scandalo, praesertim per separationem tempore tibi beneviso, si fieri potest."

4. Clausulae: "Si preces veritate niti repereris," *substituatur* haec alia: "Si vera sint exposita."

5. Ubi dicitur: "Absolvas sive per te, sive per alium in forma Ecclesiae consueta," *dicatur:* "Hac vice tantum per te sive per alium absolvas."—Die 28 Augusti 1895.

E S. CONGREGATIONE DE PROPAGANDA FIDE

CIRCA JURAMENTUM A MISSIONARIIS PRAESTANDUM.

Illme ac Rme Domine.

Cum in nonnullis missionibus super interpetratione et vi Bullarum "Ex quo" et "Omnium sollicitudinum," quas Benedictus XIV f. r. circa juramentum a Missionariis ad Sinenses et Indicas gentes emittendum edebat, sequens exorta fuerit quaesto: "utrum videlicet praeter sacerdotes Europaeos presbyteri quoque indigenae dictum juramentum praestare teneantur," Sacra Propagandae Fidei Congregatio, cui hujusmodi dubium propositum fuerat, rem totam ad S. Officium deferendam esse censuit. Jamvero, necessariis et opportunis exquisitis in themate informationibus, in Comitiis generalibus fer. IV diei 29 Maii nuper elapsi habitis praelaudatae Congregationis Emi ac Rmi Patres super relato dubio sequens dedere responsum, a SSmo D. N. LEONE P. P. XIII deinde confirmatum, videlicet "juxta noviter habitas informationes teneri." Quam quidem sententiam, cui in posterum singuli cujuslibet missionis presbyteri, sive Europaei sive Indigenae, fideliter adhaerere debebunt, dum Amplitudini Tuae communico, hac praeterea occasione utor, qua Tibi significem juramentum, de quo supra, cum semel penes quemlibet alicujus missionis Praesulem fuerit praestitum, semper in posterum fore in suo robore permansurum; adeo ut necessarium non sit ut renovetur, si Missionarius ad aliam transeat missionem, alteriusque Superioris fiat subditus: cui tamen testimonium de eodem juramento praestito exhibere debebit.

Interea DEUM precor, ut Te diutissime sospitet.

Amplitudinis Tuae Addictissimus Servus.

M. *Card.* LEDOCHOWSKI, *Praefectus.*

✠ F. AUGUSTINUS Archiep. Larissen., *Secret.*

Datum Romae ex Aedibus S. C. Propagandae Fidei, die 21 Junii 1895.

CONFERENCES.

THE AMERICAN ECCLESIASTICAL REVIEW undertakes to answer in this Department questions of general, not of merely local or personal, interest. Our readers will understand that there are topics in moral theology which may not be discussed in public print, and also, that it is not our purpose to conduct purely private professional correspondence. We shall, however, accommodate ourselves as far as we prudently can to the numerous wants of the reverend clergy.

THE EDITOR.

MARRIAGE CEREMONY DURING THE FORTY HOURS DEVOTION.

Qu. Is the marriage rite ever performed in the Church in which the Blessed Sacrament is exposed for the Forty Hours Prayer? And, if so, what are the ceremonies peculiar to the Mass or nuptial benediction?

Resp. The *Instructio Clementina*, which regulates the order of the Forty Hours Devotion, plainly excludes not only the nuptial mass, but all rites and ceremonies which do not directly refer to or which detract from the attention and devotion due to the Blessed Sacrament. Marriage celebrations must, therefore, be anticipated or postponed, unless they are performed in a separate chapel.

There appears to be no objection, however, to having a nuptial mass before the mass of exposition, or the nuptial benediction after the Blessed Sacrament has been reposed in the tabernacle in the evening.

ABSOLUTION TO A MEMBER OF THE Y. M. C. A.

Qu. Kindly inform me through the REVIEW whether a confessor is bound to refuse absolution to a member of the "Young Men's Christian Association." If so, why?

Resp. That the "Young Men's Christian Association" is a distinctly Protestant organization may be easily ascertained

from the literature and other methods which they employ for propagating their religious principles. The avowed aim of the various founders of the Association (in English-speaking countries, and particularly) in the United States is, indeed, "the promotion of Christ's Gospel." This *aim* is worthy of the approbation and co-operation of every man. But since Christ has not only given us His Gospel, but also pointed out —by explicit directions and precepts—the manner of observing the principles contained in His Gospel, we are bound to discard all *private interpretation* of the same and follow out His instructions regulating religious discipline.

Now, the method adopted in the Bible classes (a regular and principal feature) of the Y. M. C. A. is that of Protestants in general, namely, the guidance of private judgment, which, although somewhat broader in its application than would be allowed in an individual sect, is nevertheless the leading feature of the religious instruction given to the members of the Y. M. C. A. Despite their attentive study of the Gospel, and their high aim to spread it, they are in a position analagous to that of a military cadet, who is well informed as to the regulations of his code and who loves his country and its service with the same enthusiasm that animates the Christian evangelist. But in carrying out the ordinances of his superiors, he follows his own judgment of what is useful or glorious to his country. Now, as a good soldier, whatever knowledge of military tactics and patriotism he may possess, follows without remonstrance or manifestation of self-will the directions of his officer, even when these seem to his own judgment less wise or reasonable, so the soldier of Christ must place himself under the direction of those to whom He said: "Who hears you, hears Me" (Luk. X, 16)—that is to say, the Apostles and their legitimate successors in the Apostolic Church. Without this discipline no uniformity of judgment concerning the meaning of the Divine Law is possible. Private interpretation frustrates the fundamental design of the Gospel, which is charity—and the uncharity of opposing sects, and their combined hostility to the Catholic Church, when they

know her doctrine but partially or under misrepresentation, is the best proof of the baneful results of the fatal principle.

If, then, it is unlawful, as well as inconsistent, to admit to the Sacraments of the Catholic Church one who adheres to a distinctly Protestant sect, it is equally unlawful to admit a member of the Y. M. C. A. Affiliation to that body may mean association with young men who cultivate moral and gentlemanly habits; it may mean promotion in employment, and preference in the social circle, but it means also, and principally a denial of the Catholic doctrine, that the Church is the God-appointed interpreter of the Gospel. A member of Y. M. C. A. may be a better man than many a Catholic, not only before men but before God, who judges each according to his apportioned graces and talents; but the religion of the Y. M. C. A. is not thereby proved to be superior to the Catholic Church, which aims at the *complete* fulfillment of the Divine Law. He who knows and professes that Law as found in the Catholic Church cannot deliberately adopt a path which leads him away from that Church without risking his eternal salvation. As an honest Catholic, he may fail and fall a hundred times, but he does not lose sight of the true way; as a member of the Y. M. C. A., he may fall less often, but he is in the wrong way.

———.

THE SPONGE FOR THE ABLUTION OF THE FINGERS.

Qu. There is a custom in some churches of purifying the fingers (in case of duplicating or after distributing holy communion) by means of a moistened sponge, kept in a vessel on the altar. Is this a proper or legitimate method of purification?

Resp. The use of the sponge is entirely without warrant. The Ritual prescribes the manner of purifying the fingers in both instances: *admoto aquæ vasculo digitos lavat . . et abstergat* (Append. de Eucharistia). Again: Digitos quibus SS. Sacramentum tetigit in aliquo *vase mundo* ad hoc in altari praeparato *abluet.* (Ibid.).

The expressions "digitos lavat" and "abluet" signify a

washing of the fingers in the liquid water, so that the ablution may be consumed "per modum potus;" for in another part the Ritual says: "Postea sacerdos abluet digitos . . et infirmo detur ablutio." This liturgical sense of the word *ablution* is recognized even by the lexicographers in our own language: "A small quantity of wine and water which is used to wash the priest's thumb and index finger, and which then, as perhaps containing portions of the consecrated elements, is drunk." (Definition of "ablution" in Webster.)

The last words of the definition indicate likewise a reason which makes the use of the sponge—although very convenient—dangerous, inasmuch as it fosters irreverence and, perchance, desecration. The object of having a vessel with water is to dissolve the particles which may have clung to the fingers in distributing holy communion. It is supposed that this water will be frequently renewed, since the Ritual prescribes a *clean* vessel (*vas mundum*). Now a sponge will hide the dirt, but not lessen it. If it become dry, the sacred particles will not dissolve, and may even be caught and scattered by the fingers that touch it. The only proper way is to keep on the altar a vessel with wine or water frequently renewed, and a clean purificator, or, as Dr. Herdt (Praxis I n. 275) puts it: "Vasculum cum vino vel vino et aqua, vel saltem sola aqua ad digitos abluendos, et purificatorium ad eâdem abstergendos."

MISSA CORAM SS. SACRAMENTO EXPOSITO PRAESENTE CADAVERE.

Qu. Would it be permissible to perform the funeral service in the church during Forty Hours Exposition? I assume that a requiem mass could not be said, and that the funeral ceremony would take place after the regular Exposition mass, so as not to interfere with the functions of the Forty Hours.

Resp. The spirit as well as the general legislation of the Church is against permitting any liturgical function during

the Forty Hours Adoration which does not contribute to the object for which this devotion was instituted. Whilst we may privately pray for the dead, the public devotion of the Forty Hours is exclusive of everything but adoration of the Blessed Sacrament. It implies a festive spirit, although one of atonement, entered into by the entire community, and excludes for the time being all demonstration of private sorrow and affliction over the death of a brother or sister. For a reason akin to this the Church has forbidden the exposition of the Blessed Sacrament during the time when the solemn office of Requiem is being performed. A case in point is that of the Canons of Nocera, in Italy, who had a time-honored custom of singing the office for the dead whilst the Blessed Sacrament was exposed. The S. Congregation, asked as to the lawfulness of such a practice, answered that an abuse of this kind was to be abolished by the Bishop.

In Ecclesia Collegiata Dioec. Nuc. Pag. celebratur funerale cui additur Expositio SSmi, coram quo, ante suppedaneum altaris erigitur tumulus mortuorum. Durante interim expositione a canonicis officium defunctorum cantatur, absolutis Laudibus, exposito pariter SSmo, canitur missa propria diei currentis in paramentis albis, eaque absoluta, celebrans dat benedictionem cum SSmo.

S. C. resp. Assertam consuetudinem tamquam *rubricis et ritibus Ecclesiae contrariam sustineri non debere*, et Episcopus eandem omnino aboleri curet. (N. 4292; die 27 Mart. 1779).

CAN FATHER FRANCIS DUPLICATE?

Qu. Will you please give a solution in the REVIEW to the following doubt:—

Father Francis has a station—ten miles out from his residence—at which he says Mass every alternate Sunday and occasionally on weekdays. On Tuesday last, just as he has finished Mass, farmer F. comes to him and says: "My wife is very low; the doctor says she cannot live two hours. She wants you to come and bring her Holy Communion and also to anoint her. It is only a mile out." Father Francis is in a quandary. He has not the Blessed Sacra-

ment and has already said Mass. The sick woman may be dead before he can drive home and back—twenty miles—for the Blessed Sacrament. He says to himself: "There is a soul at stake; I will say Mass again that I may get the Blessed Sacrament, even though it is a day on which I am not allowed to duplicate."

May he say Mass in this case? Or should he do so?

NEBRASCA.

Resp. He neither may nor should duplicate under the circumstances. The reason is that the administration of the Holy Viaticum is not essential to insure the salvation of the dying woman, although it confers great graces.

Nor is there any precept binding a person to receive the Blessed Sacrament, however desirable it may be. On the other hand, there are two precepts preventing Father Francis from duplicating: first that of the ecclesiastical fast, which the ablution of his Mass already said prevents him from observing in a second Mass. Secondly, the prohibition of duplicating for such a purpose at all. The privilege of bination is of strict interpretation, and for the definite purpose of giving a number of the faithful an opportunity of fulfilling a precept (that of hearing Mass on Sundays and holidays of *obligation*) which otherwise they cannot do.

What Father Francis should do in the given case is to go at once to the sick person, shrive her and *administer Extreme Unction*, then, if any time remains, go for the Holy Viaticum in the hope that she may live long enough to receive it. The doctor's "two hours" are not infallible, and the possibility of giving the consolation of the Vaticum to a dying person—whilst it is not a question of *saving* a soul—is worth much more than the inconvenience of a twenty miles' ride.

INSCRIPTION FOR A CORNER STONE.

Qu. Would you kindly give an example of a simple inscription to be placed in the corner stone of a church? I believe it is customary, besides mentioning the year, to add the names of the President, the Governor and the Mayor. What are the Latin forms for these dignitaries of our Republican land?

Resp. A simple inscription, embodying the names of the officials mentioned in the query, is the following:

TEMPLI
IN. HONOREM. S. BIRGITTÆ
LAPIS. SACER. AVSPICALIS
JACTVS. FVIT*

KAL. FEBR. A. D. MDCCCXCVI
SVMMO. REIP. PRÆSID. GROVERO. CLEVELAND
CAROLO . . . STAT : . . MODERATORE
JOANNE . . . VRBIS. PRÆFECTO.
PATRITIO . . . NOVI. TEMPLI
CVRIONE. DESIGNATO

DISCREPANCIES OF SCRIPTURE TEXTS IN THE BREVIARY, MISSAL AND BIBLE.

Qu. To-day (17 Dec.) the Antiphon *O Sapientia* of Vespers is punctuated in such a way as to give a somewhat different sense from what appears to be the same passage in the Vulgate edition of the Bible (Wisd., viii, 1). Thinking it a typographical error, I examined several editions, French and German, of the Breviary and find everywhere the same discrepancy. Is this accidental or designed? And what is the reason, if there be any, of the different punctuation?

Resp. The differences in form and punctuation between Biblical quotations in the Breviary and the Vulgate text is due to the fact that the liturgical books are on the whole older than the time of St. Jerome (†420), to whom we mainly owe the present form of the Vulgate text. Before his time an old Latin version, called the *Itala*, was in common use, and the Breviary and Missal for the public service of the churches were largely made up from portions of this Latin Bible. Frequently the

*The name of the Dignitary or delegated official who lays the corner stone follows here, with the preposition A or AB and full ecclesiastical title. A clause such as

MAGNA. SACERDOTVM. ET. CIVIVM.
FREQVENTIA

might be inserted before "jactus fuit."

words were simply adapted to a definite liturgical purpose, by the system known in hermeneutics as verbal accommodation; but the antiphons of the Breviary and the verses after the epistle in the Missal were as a rule taken literally from the *Itala*. Those portions remained unchanged even after the Latin Bible had been revised and adopted as the standard version under the name of Vulgate.

Thus the Breviary and Missal of to-day bear silent witness to the antiquity of the Catholic ritual. It is needless to say that the differences between the liturgical books of the Church and her authentic version of the Bible involve in no case a discord of doctrine; on the contrary, the two versions often contribute to elucidate the deeper sense of the sacred words.

MEANING OF THE SIX CANDLES AT HIGH MASS.

Qu. What is the symbolic meaning of the six candles on the altar at solemn mass?

Resp. According to the mediæval liturgists[1] the lights on each side of the crucifix upon the altar of our churches signify the light shed by the cross or the gospel of Christ upon the Jewish and Gentile nations. The three lights in the solemn service represent, on the one hand, the three patriarchs of the Jewish Church; and on the other, the representatives of the Gentile cult who came to Bethlehem in search of the True Light.

From another point of view the triple light on each side is an expression of the triune source and action of the divinity which sheds its rays upon all mankind (Jew and Gentile) through Christianity.

When the Bishop celebrates the solemn mass a seventh light is added, immediately behind the crucifix, and raised above the other lights, in order to emphasize the superiority the Christian teaching (light), represented by the pontiff, to the wisdom of the Old Law and the natural law as found in the Pagan philosophy.

1 See Gihr's work on "the Holy Sacrifice of the Mass," in German or French.

BOOK REVIEWS.

CHRIST IN TYPE AND PROPHECY. By Rev. A. J. Maas, S. J., Professor of Oriental Languages in Woodstock College, Md. Vol. II. New York, Cincinnati, Chicago: Benziger Bros., 1896. Pages, 500. Price, $2.00.

When two years ago the first volume of *Christ in Type and Prophecy* appeared we pointed out the thoroughness and critical skill of which the work gave evidence. The second volume strengthens our conviction regarding these qualities, and it reveals fully the practical purpose which Father Maas, its learned author, had in mind when he projected the work upon the present lines. Catholics who make any pretensions to belonging to that thoughtful class of minds who occupy themselves with the serious problems of the day, and who are convinced that Christianity alone holds the key to their solution, will find in these two volumes a systematic development both historical and theological of the great argument on which all other reasoning of the Christian apologist is based, namely the divinity of Christ. Names such as Briggs, Elliott, Drummond, Stanton, Scott (not to mention the numerous translations of the works by the great Biblical scholars in Germany), all of whom have treated this subject of the Messianic prophecies from what has been styled the "conservative" Christian standpoint, are familiar to the educated Christian gentleman or lady of our land. Unfortunately these authors are not animated by the Catholic spirit and only partially informed in Catholic tradition. Now, these two factors are of immense importance in ascertaining the right and complete bearing of the Messianic prophecies. They create the Catholic temper which puts the interpreter in accord with the source whence the divine utterances proceed; and just as the characteristic sound of the metal is fully called forth by the stroke from a piece fashioned of the like material, so the prophecies of Christ are most fully and perfectly sounded by minds regenerated and formed in the school of the Messias. In such a school our author has received his training, and from it he takes his safer light. But saying this does not

imply that he ignores the labors of those who, as interpreters of the Messianic prophecies, are less favored than himself by reason of their position outside of the Church. On the contrary, there are few Catholic scholars, and perhaps none in our own country, who take so impartial an account of the concurrent non-Catholic literature in the department of Biblical studies. One need only examine the present work to become convinced of this.

The subject matter treated of in this second volume completes the aspect of the Messianic office in its accomplishment and in its results. It will be remembered that the first part of the work dealt with what might be called the preparatory elements which lead us to a right understanding and appreciation of the prophecy argument. This embraced a cursory glance over the history of the prophetic office, and the Messianic prophecies in particular. Next the author led us to the examination of the genealogy, birth and infancy of the Messianic person. In the present volume the "Offices of the Messias," as already indicated in the names given Him before His actual coming, are set forth in an analysis of the Scriptural places which foretell them. We see the Messias successively as prophet, as king, as priest, as the "Goel" who protects his people and avenges their injury, and, finally, as the mediator of the New Testament. The description of these offices is again but a preliminary study to the full understanding of the Messianic figure as presented to us in the public life of Christ. That life finds its supreme purpose in the sufferings and death of the Messias. Hence we are led to examine the successive phases through which passes the Messianic Victim, as foreseen by the prophets or foreshadowed in Old Testament types. The final act of this grand mystic representation is given us in the study of the prophecies regarding the Resurrection, the Ascension, the Pentecostal manifestation and the call of the nations into the Church. Here, too, the types of the Messianic kingdom play an important part in completing the scope of this unique book.

The student of apologetics, the theologian, the preacher, the ascetic—the intelligent inquirer of whatever class, seeking for truth on historic or on psychological ground, will find "Christ in Type and Prophecy" a deeply interesting and instructive work; one which it is important to study, especially now, when the champions of disbelief and those of faith in Christ are concentrating their forces, and show a disposition to eliminate those half-way beliefs and inconsistencies represented by Protestant Christianity.

PHILOSOPHIA MORALIS IN USUM SCHOLARUM. Auctore V. Cathrein, S.J. Editio Altera Aucta et Emendata. Friburgi Br. Herder. (St. Louis, Mo.) 1895. Pp. xix. 457.

In this new edition Fr. Cathrein's volume on Ethics takes the place logically belonging to it in the course of philosophy of which it forms the concluding portion. When the first edition was published some two years ago, there was no indication of its relation to a series of corresponding texts designed to cover the entire field of philosophy. This relation was made apparent when shortly afterwards Fr. Frick announced in his logic the complete course under preparation by the Jesuit professors, at Stonyhurst and Exaeten. This course has now been finished and published, and in this second edition Fr. Cathrein's Ethics is given its proper place in the series. It is quite significant of the merit of the work that a new edition should be demanded within the comparatively short interval since the appearance of the former edition. Its author has evidently profited by the suggestions of the reviewers to make some improvements chiefly in the way of additions, which, while they increase somewhat the bulk of the book, considerably enhance its general usefulness. The first improvement meets the eye immediately after the table of contents. A complete list of the theses summing up the general doctrine of the work is there inserted. A similar feature is found in Fr. Boedder's Psychology and Natural Theology, and doubtless will be added in future editions of the other volumes of this series. The first Thesis is the second betterment of the present edition. The ultimate end of creation in general embodies a principle logically antecedent to the determination of the final end peculiar to man. Though it belongs either to Cosmology or to Natural Theology to establish what is the ultimate purpose of God in creation, the logical completeness of Ethics requires that the subject should occupy the first place in the development of this science. Accordingly our author has devoted to it his first thesis and some four pages of bookspace.

In our notice of the former edition we pointed out the desirability of seeing the true moral principles involved in the Social Question unfolded in so thorough a manual of Ethics. We are pleased to see that in the new edition this timely subject receives that solid treatment which characterizes the author's method throughout—just attention to fact and principle, to history and science being here markedly pronounced.

Another improvement is noticeable in the literary apparatus. To each of the more prominent theses are attached references to apposite authorities, especially to Aristotle, St. Thomas and recent larger works on Moral Philosophy. These references are of course valuable mainly to professors and students who wish to extend their reading beyond the more limited lines of this work.

Other improvements of minor importance there are, especially in the addition of some objections, the filling out of the index, etc.

These changes have necessitated the increase of the size of the volume by sixty-one pages, but they add greatly to the usefulness of the work.

SAINT JOSEPH, Epoux de Marie, Père nourricier de Jésus, Patron de l'Eglise, d'après l'ecriture et la tradition. Par Rev. P. V. Mercier, S.J.—Paris: P. Lethielleux. 1895. Pp. xv, 407.

The last few years have witnessed a notable increase in the growth of that particular literature which illustrates the life of the foster-father of our Lord. It is a natural consequence of the development of devotion to that great Saint. This devotion is closely connected with—and intended as a remedy for—the spirit of the age, which is shown in a weakening of the bonds of domestic life on the one hand, and in the tendency to false emancipation of womanhood on the other. Leo XIII. in proposing St. Joseph as Special Protector of the Church of Christ, emphasizes the leading motive of this devotion, when, in instituting the Association of the Holy Family, he reminds us that the hope of a modern regeneration whence the Church is to rise triumphant, must come from the regeneration of the Christian family. It is well, then, that those who devote themselves to the propagation of this idea should be encouraged. And here France holds still the lead, as she does in all missionary work, which is perhaps the principal reason why the enemies of faith and virtue are nowhere so bitter and zealous as in that same fair Catholic land.

The present contribution to the literature on St. Joseph is quite an erudite work, although the erudition does not obtrude itself in any didactic form. The S. Scriptures, the Fathers, the devout traditions of a more or less historic character, and the sayings of recognized Catholic writers are brought together to illustrate the life and intercessory position of St. Joseph. The predestined

mission of the Saint, his character as spouse of our Bl. Lady, his relation as foster-father to our Lord, and the domestic life of the holy trio to the death of St. Joseph are sketched in engaging language. The remaining portion of the work is devoted to a study of the circumstances which give to the devotion its special significance in our day, as we suggested above.

There is at the end of the book a brief plan portioning out the matter for meditation, or rather for spiritual reading suitable during the month of March. The work could be easily translated, and would prove a good practical manual for home devotion.

ORGANUM AD GRADUALE ROMANUM. Pars Altera, continens omnia quae in Festis B. M. V., Dedicationis Ecclesiae, Angelorum, Apostolorum, Omnium Sanctorum, a choro cantanda sunt : Harmoniis exornata a C. Becker Rectore Chori in Salesiano, St. Francis, Wis.

If Gregorian Chant must be harmonized—and those who are most competent to judge think it should not—two interests ought to be consulted in the method adopted : these are, the interests of true art, and the interests of the congregation who are listeners willy-nilly to the performances on the organ. The interests of true art require that its most obvious dictates be respected. The modern major and minor modes should not be employed to accompany melodies whose whole being is in modes far removed from the genius and spirit of the modern. The chants, possessing a very well-defined melody in their own modes, are apt to become utterly tuneless, or, at best, but lifeless and insipid, if so harmonized as to lead to the impression that they are written in modern tonalities.

On the other hand, if accompanied in a too strictly scientific and, to "the general," utterly unintelligible manner of some theorists in the mediaeval modes, they are apt enough to appear quaint, even to grotesqueness, to an auditory which is quite unprepared by either scientific or popular training, to appreciate the long-forgotten harmonies of the old polyphony. Here, indeed, the interests of the congregation are to be consulted,—interests which are confounded, in the last analysis, with the *interest* of the congregation.

The favorable notices of the First Part of the harmonized Graduale of the author, show that he conceives his province in a

correct spirit. He has had in view, also, the difficulties presented in the way of a flowing and genial style of accompaniment. He allows the Chant melodies to dominate the harmony, and has withal succeeded in producing a playable and interesting series of harmonizations. We felicitate him on his successful labors in the interests of Gregorian Chant.

FOUNDATION STUDIES IN LITERATURE. By Margaret S. Mooney, teacher of Literature and Rhetoric, State Normal College, Albany, N. Y. Boston, New York and Chicago: Silver, Burdett & Co.

The object of this volume is to present to advanced students in English Literature a compendious and well-classified selection of mythological and classical allusions. Some one has said that all the plots of all novels and dramas can be reduced to eight or ten fundamental stories. "There is nothing new under the sun,"—if we are only wise enough, like the old Sage of Jewry, thoroughly to scan the books of man and nature. And yet, who has not been perplexed, and at times quite baffled, by the allusive and elusive utterances as well of essayists as of poets? The average reader will not pause to consult books of reference. And so it happens that the finer shades of meaning, and sometimes even the essential import of an elegant piece of rhetoric, is but vaguely apprehended. This volume presents a clear and extremely interesting summary of the "foundation stones" underlying literature. By its careful perusal the reader is furnished with a literary apparatus such as the best poets of every literature have used in the construction of their masterpieces. The wide subject of mythologic and classical allusion is well illustrated with copious and suggestive excerpts from the works of English poets, both in their original verse and in translation. Additional light is thrown on the subject-matter by frequent allusion to both prose and poetry which the limits of the volume would not permit sufficient room for in the text. Really artistic full-page illustrations from the masterpieces of Art, add brilliancy to the book, and serve to connect literature with the other "Fine Arts." This volume of three hundred pages is thus a welcome companion for the student, the littérateur, and the man of broad culture. The typography merits more than a passing word of praise. It is clear, large, and in every way attractive.

STUDIES IN THE NEW TESTAMENT. Compiled by Rev. James H. O'Donnell, with an introduction by Very Rev. John A. Mulcahy, V. G. New York Catholic Protectory Print, Westchester, New York, 1895.

We wish to recommend this little volume to teachers in our schools, and to others who have no opportunities or leisure for special and independent Scriptural studies on the New Testament. It contains, in catechetical form of short questions and answers, all that is necessary for an intelligent appreciation of the Gospels and Epistles. The historical and biographical portions are full of interest and furnish a great deal which is apt to attract to the study of the sacred volumes.

BOOKS RECEIVED.

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SENTENCES ET PRIÈRES INÉDITES du Rev. Père Bronchain. Par le Père Nimal, auteur de la Vie du Rev. P. Bronchain.—Tournai: H. & L., Casterman. 1895.

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BREVIARIUM ROMANUM. 4 vol, 18mo. Edit. VII., 1895. Bd. $9.00.

ORDOS. American, Roman, and both combined. Pr. 30, 50 and 75 cents (interleaved edit.) New York and Cincinnati: Fr. Pustet & Co. 1886.

PHILOSOPHIA MORALIS in usum scholarum. Auctore V. Cathrein, S.J. Editio altera aucta et emendata.—Friburgi Br.: Herder (St. Louis, Mo.) 1895. Pg. xix, 457.

LE FESTE SETTEMBRINE. Un po' di Storia. (Colla Lettera di Sua Santita Leone XIII. all Em. Sign. Card. Rampolla, Segretario di Stato. Estratto della *Civiltà Cattolica* del 19 Ottobre 1895.—Roma: Direzione e Amministrazione della *Civiltà Cattolica*. Via di Ripetta 246. 1895. Pg. 30.

FAITH AND SCIENCE; or How Revelation agrees with Reason, and Assists it By Henry F. Brownson. Detroit: H. F. Brownson, 35 W. Congress St. 1895. Pg. 215.